



EAST AFRICAN COMMUNITY

**43RD ORDINARY MEETING OF THE COUNCIL OF
MINISTERS**

**19TH – 23RD FEBRUARY, 2023
BUJUMBURA, REPUBLIC OF BURUNDI**

**REPORT OF THE MEETING
(Ref: EAC/CM/43/2023)**

**EAC SECRETARIAT
ARUSHA, TANZANIA
FEBRUARY, 2023**

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PREAMBLE

The 43rd Ordinary Meeting of the Council of Ministers (“the Council”) was held in Bujumbura, in the Republic of Burundi from 19th to 23rd February, 2023.

The Ministerial Session was chaired by Hon. Ambassador Dr. Ezechiel Nibigira, Minister for East African Community Affairs, Youth, Sports and Culture, Republic of Burundi, while Mr. Deng Alor Kuol, Minister of East African Community Affairs, Republic of South Sudan was the Rapporteur.

Hon. Ambassador Dr. Ezechiel Nibigira, the Chairperson, welcomed the Hon. Ministers and their delegations to the Republic of Burundi and wished them a nice stay in Bujumbura. He observed that in the intervening period between the 42nd and 43rd Council, the various Sectoral Councils had negotiated and concluded policy instruments that would propel the EAC integration. Various programmes were also conceptualized designed and implemented during the period. The Chairperson extended his appreciation to the Coordination Committee for preparing the Report which was due for consideration by the Ministers. He expressed optimism that the Ministers would consider the matters exhaustively and provide guidance to the Community.

Hon. Dr. Peter Mathuki, the Secretary General welcomed the Ministers / Cabinet Secretaries to the Meeting. He expressed gratitude towards the Council for their leadership to the Community. He highlighted to the meeting the Progress made in implementing the directives of the Summit on admission of the Federal Republic of Somalia into the Community, Integration of the Democratic Republic of Congo into the Community and adoption of French and Kiswahili as Official Languages of the Community. He informed the meeting that the People Republic of China had donated eight (8) vehicles to the Community to support the integration agenda and that the Nyerere Centre for Peace Research had been relaunched. The Secretary General thanked the Government and the people of the Republic of Burundi for the warm reception and courtesies extended to the delegations from the other Partner States.

*The Council adopted the Agenda and the Programme of the Meeting which are attached hereto as **Annex I**.*

The Session was attended by Ministers/ Cabinet Secretaries, Principal/Permanent/Under Secretaries, delegates from Partner States, the Secretary General, EAC Executive Staff, Heads of the EAC Institutions and staff from EAC Organs and Institutions.

*The list of participants is attached hereto as **Annex II**.*

PART I: IMPLEMENTATION OF PREVIOUS DECISIONS/ DIRECTIVES OF THE COUNCIL OF MINISTERS

1.0 REPORT ON THE IMPLEMENTATION OF PREVIOUS DECISIONS/DIRECTIVES OF THE COUNCIL OF MINISTERS

The Council of Ministers ("the Council") is the policy Organ of the Community. The Council is responsible for promoting, monitoring and keeping under constant review the implementation of the programmes of the Community and ensuring the proper functioning and development of the Community in accordance with the Treaty.

Decisions and directives proposed for retirement

The 42nd Meeting of the Council directed the Secretariat to submit the Matrix of the decisions and directives proposed to be retired to the Partner States for review and submit their comments to the Secretariat for consideration by the 43rd Meeting of the Council of Ministers (**EAC/CM 42/Directive 04**).

In line with the above directive, the EAC Secretariat prepared and shared the Matrix of the Decisions and Directives Proposed to be Retired and submitted to Partner States for review and comment. The Partner States submitted their comments and the Secretariat convened a meeting of Partner States and EAC Organs and Institutions Focal Point Officers from 3rd -6th August, 2022 in Bujumbura, Burundi to analyse all decisions and directives proposed for retirement.

The Meeting agreed to make recommendations in two categories, 'retire' or 'retain' as follows -

- a) "retire" to mean the decision/directive should be archived and removed from the monitoring matrix as it has been fully implemented; duplicated/repetitive or over taken by events or not still relevant;
- b) "retain" to mean the decision/directive is still being implemented or has not yet been implemented.

The Meeting adopted the following criteria for retiring the decisions and directives:

- a) *repetitive decisions/ directives (i.e., similar decisions and directives that are directed or re-directed several times and require same action for their implementation); and*
- b) *overtaken by events or change of priority/policy (decisions and directives have and cannot be implemented due to a change/shift in priority).*

The Meeting reviewed the Draft Matrix of the identified decisions and directives and observed decisions and directives which are repetitive in nature, overtaken by events and those that have been fully implemented and need to be retired. The Matrix of Decisions and Directives proposed for Retirement is hereto attached as **Annex III**.

Decisions and Directives requiring further guidance from the Council

Decisions on the construction of the gas pipeline

The Meeting observed that the following decisions on the Gas Pipeline to Mombasa were still relevant but had been dormant since 2002 and as such require further Council guidance:

- a) *The Partner States are urged to support the efforts in constructing the gas pipeline to Mombasa (EAC/CM4/Decision 15); and*
- b) *The Partner States are urged to enter into negotiations to support and promote the use of gas in order to facilitate quicker utilization of gas from Songo - Songo (EAC/CM4/ Decision 13)*

Directives on undertaking Partner States Manpower Surveys

The Meeting further noted the need for further guidance from the Council on the directive to Partner States to expedite the finalization of their respective National Manpower Surveys (MPS).

It was observed that while some Partner States are yet to undertake the Manpower Surveys, the Partner States which had conducted Manpower surveys did not conduct them at the same time and the scope of the modules covered varied between Partner States thus making it difficult to compare the data collected as elaborated below:

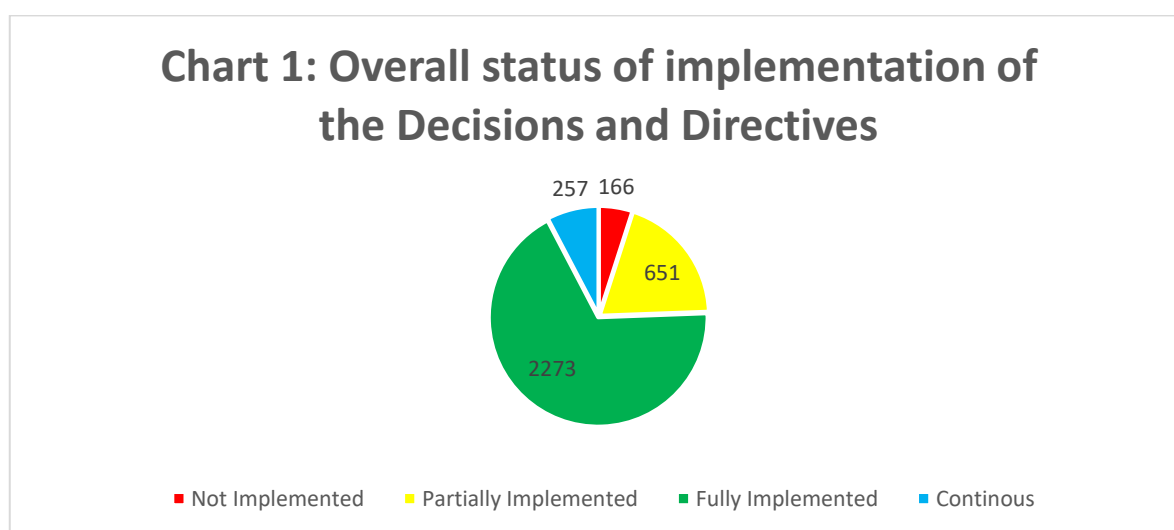
- a) the Republic of Burundi completed its Manpower Survey (MPS) in 2014 which addressed five modules;
- b) the Republic of Kenya printed, published, and disseminated the MPS Report in 2019, and a copy was submitted to the EAC Secretariat;
- c) the Republic of Uganda completed the MPS in 2017 and disseminated the report in 2018 with four modules;
- d) The Republic of Rwanda completed her MPS in 2010 considering all the 6 modules i.e. (i) employers; (ii) employees; (iii) educational institutions; (iv) informal sector; (v) Unemployment for skilled persons; and (vi) diaspora; and published the Report in 2012;
- e) the Republic of South Sudan reported that upon admission into the Community, in April 2016, she commenced the process of establishing institutional frameworks to govern the development of labour laws, policies, and strategies in line with EAC Common Market Protocol obligations; and,
- f) the United Republic of Tanzania completed all preparatory activities for the survey from designing the survey instruments, to pretesting and conducting the Pilot Survey. The MPS was conducted in 2010 considering all the 6 modules i.e. (i) employers; (ii) employees; (iii) educational institutions; (iv) informal sector; (v) Unemployment for skilled persons; and (vi) diaspora; and the Report was published in 2012.

The Council observed that the Manpower Surveys are outdated and may not adequately address the needs at the moment, that technological advances and education sector reforms as well as the labour market needs have significantly changed in the last 10 years and that there was need to bring a closure to the International Labour Organisation supported manpower survey initiatives.

Overall status of Implementation of Directives or Decisions

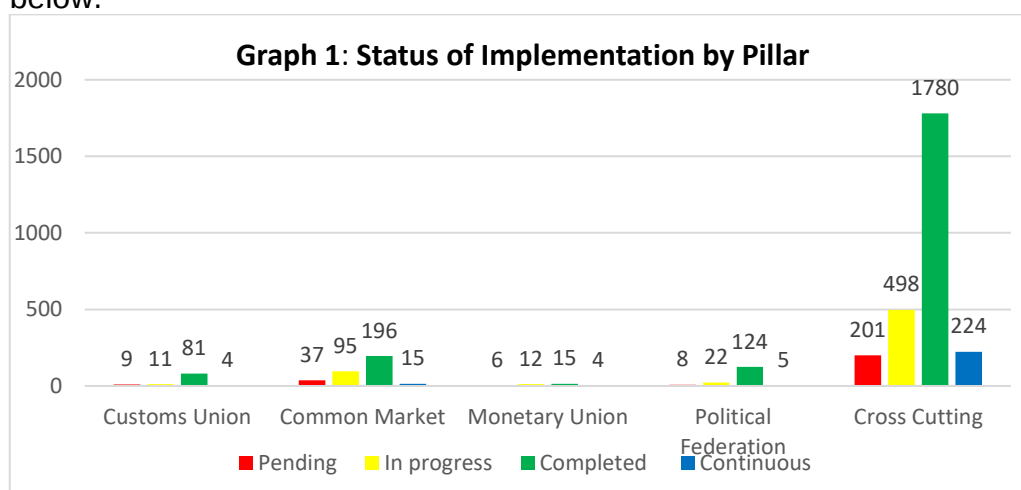
A Report on the Overall Status of Implementation of Decisions or Directives of the Council from the 1st to the 42nd Meetings of the Council is attached hereto as **Annex IV**.

To date, the Partner States, Organs and Institutions of the Community have fully implemented 67.9% of the decisions or directives of the Council, 19.4% are under implementation, 7.7% of the decisions or directives are continuous in nature while 4.95 have not been implemented at all, as illustrated in **Chart 1** below



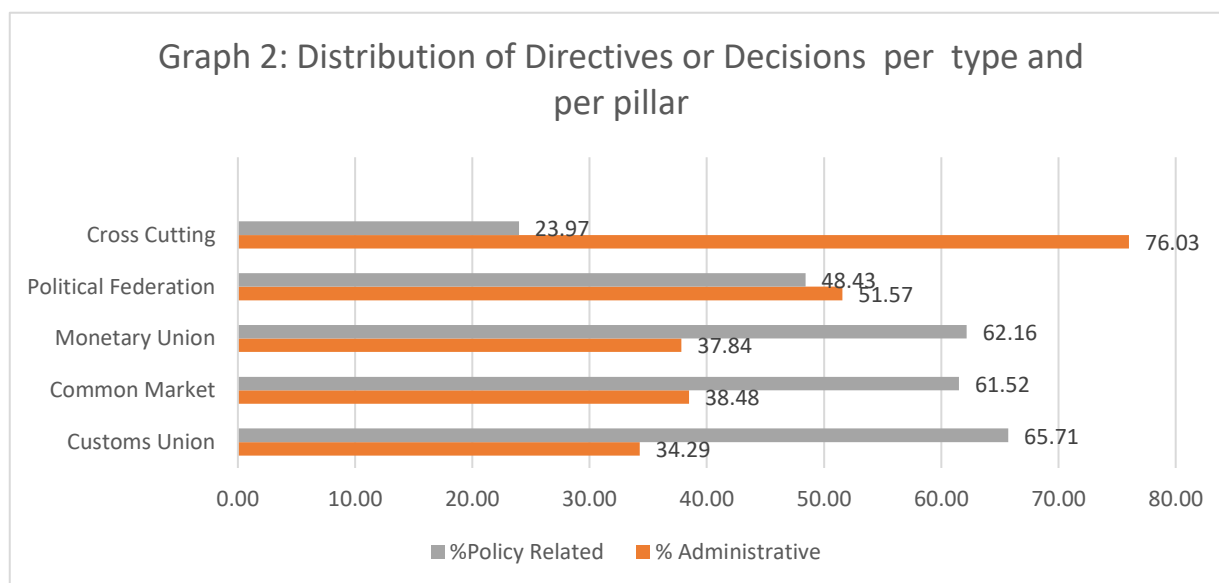
Implementation of Decisions or Directives by Pillar

The implementation of the Decisions and Directives of the Council indicates that more than 50% of the directives or decisions were fully implemented as illustrated in **Graph 1** below.



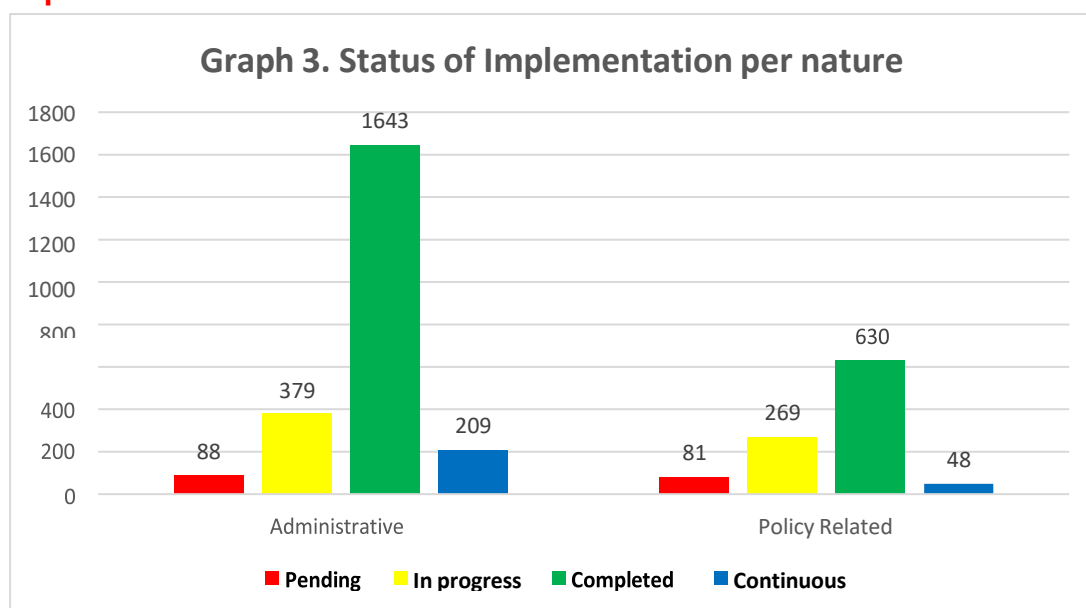
The distribution shows that Monetary union, Customs Union and Common market protocol have more policy related than administrative directives/decisions 62.1%, 65.7% and 61.5% respectively while Political federation has more administrative directives/decisions 51.6% and crosscutting directives/decisions 76.1% as illustrated in

Graph 2 below



Implementation per nature

Graph 3:



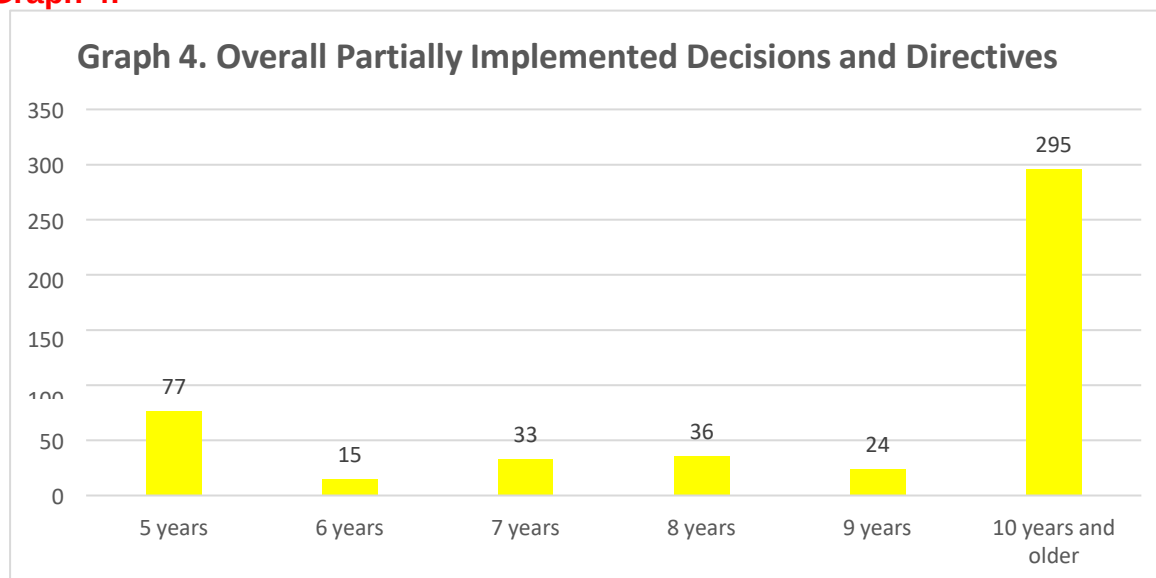
Graph 3 shows that 1,643 (49%) administrative decisions and directives are fully implemented while 630 (18.8%) policy related decisions and directives are fully implemented

Long pending partially implemented Decisions and Directives

To-date, 480 decisions and directives have remained under implementation for more than 5 years as illustrated in Graph 5 below. The Matrix of the decision and directives that have been under implementation for more than 5 years is hereto attached as

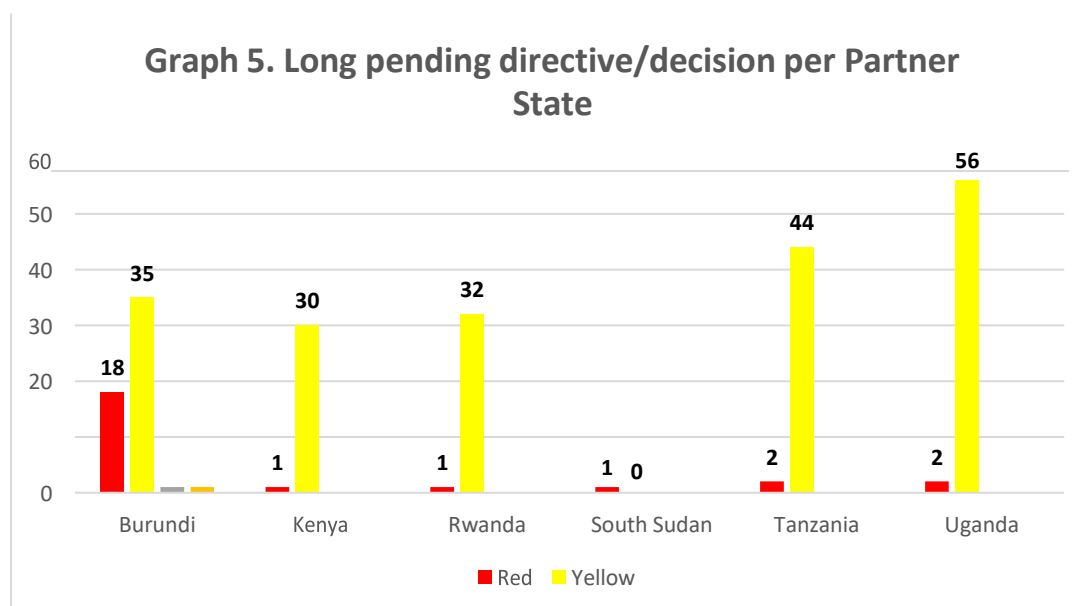
Annex V.

Graph 4:



Long pending over 5-10 years directives/decisions per Partner State

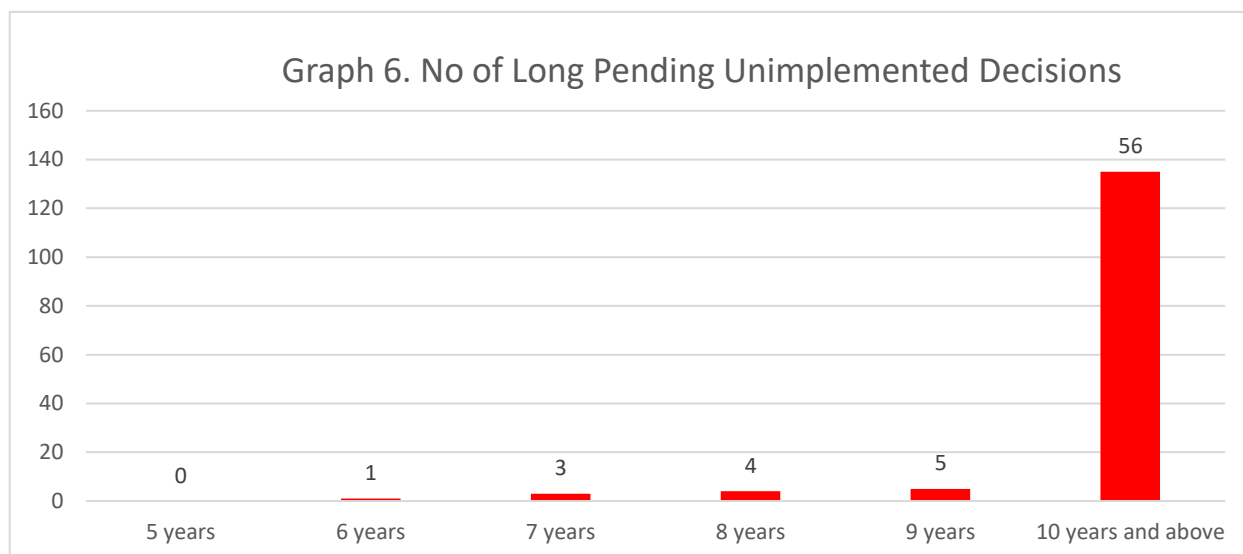
Graph 5



Long Pending Unimplemented Decisions and Directives

To-date, 56 decisions and directives have remained unimplemented for more than 10 years as illustrated in Graph 7 below. Matrix of the decision and directives that have not been implemented for more than 10 years is hereto attached as **Annex VI**.

Graph 6:



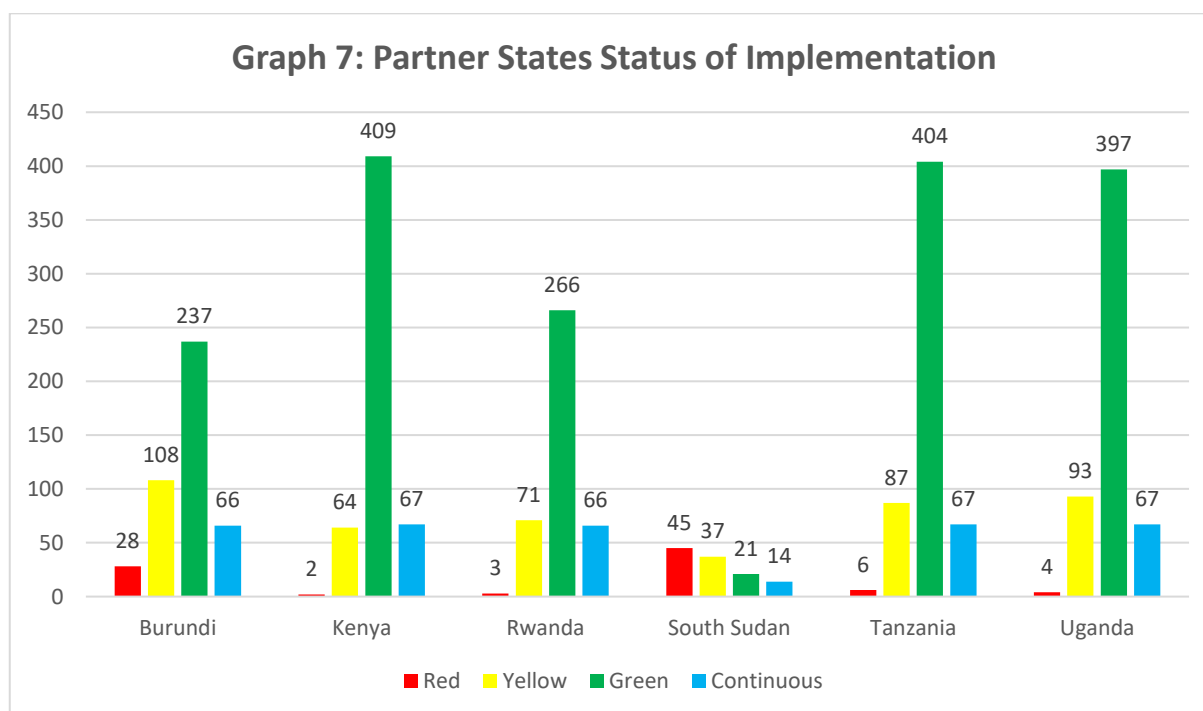
Implementation per Partner State

To-date, the status of implementation of decisions and directives of the Council per Partner State is summarized in the Table below:

Table 1: Summary of status of implementation of decisions or directives per Partner State

Partner State	Red	Yellow	Green	Continuous	Total
Burundi	28	108	237	66	439
Kenya	3	63	409	67	542
Rwanda	3	71	266	66	406
South Sudan	45	37	21	14	117
Tanzania	6	87	404	67	564
Uganda	4	93	397	67	561

The status of implementation per Partner State is illustrated in **Graph 7** below:

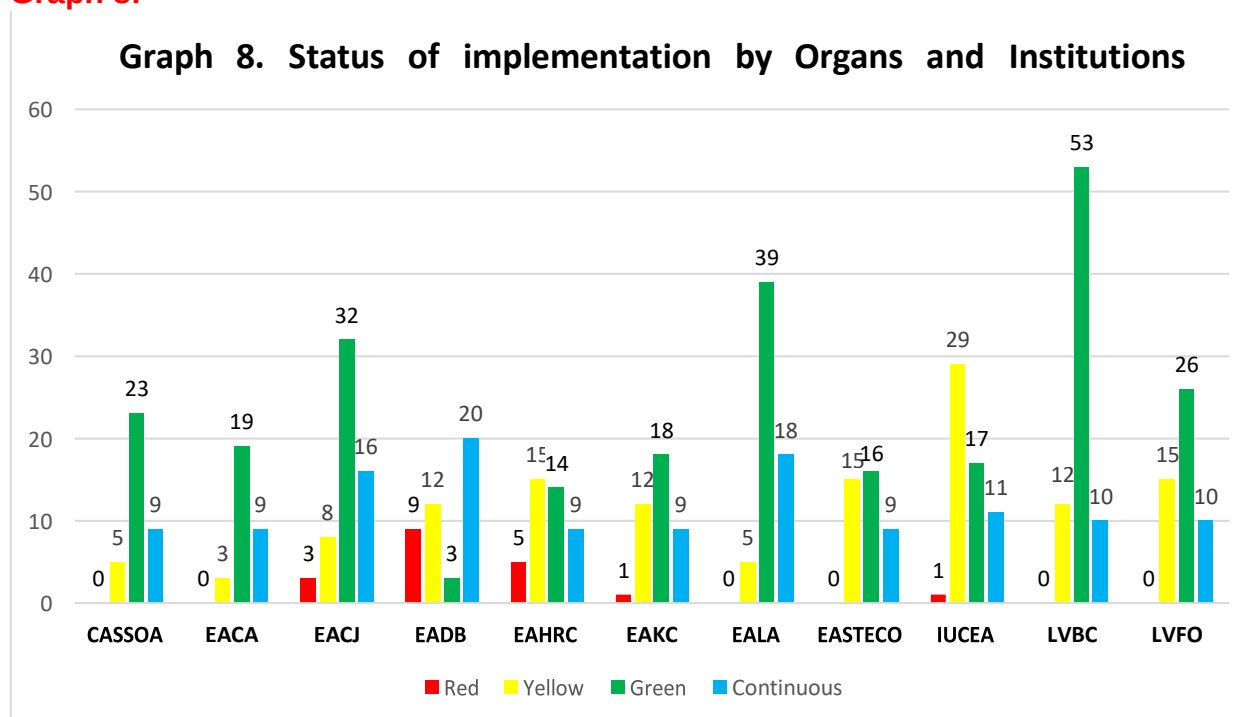


The above graph shows that the Republic of South Sudan and the Republic of Burundi have the highest numbers of unimplemented decisions and directives (45 and 28 respectively) followed by the Republic of Rwanda (3), the Republic of Uganda (4), the United Republic of Tanzania (6), and the Republic of Kenya (2).

Implementation by Organ or Institution.

To-date, the status of implementation of decisions or directives of the Council by the Organs and Institutions is illustrated in **Table 2.** below.

Responsibility Centre	Red	Yellow	Green	Continuous	Total
CASSOA	0	5	23	9	37
EACA	0	3	19	9	31
EACJ	3	8	32	16	59
EADB	9	12	3	20	44
EAHRC	5	15	14	9	43
EAKC	1	12	18	9	40
EALA	0	5	39	18	62
EASTEKO	0	15	16	9	40
IUCEA	1	29	17	11	58
LVBC	0	12	53	10	75
LVFO	0	15	26	10	51
Total	19	131	260	130	540

Graph 8:

The information above shows that 40.6% of the decisions and directives of Organs and Institutions are fully implemented, 20.4% are ongoing implementation, 2.9% have not yet been implemented and 20.3% are continuous.

The tables show that EADB, EAHRC and EACJ each have respectively 47.4%, 26.3% and 15.8% of unimplemented decisions and directives out of the total number of pending decisions and directives.

The graphs above also show that IUCEA have more decisions and directives whose implementation is ongoing when compared with the fully implemented decisions and directives and EASTECO and EAHRC have an equal number of directives/decisions whose implementation is ongoing with those which are fully implemented while the other Institutions have more decisions and directives which have been fully implemented

Table 3. Implementation by EAC Secretariat

Responsibility Centre	Red	Yellow	Green	Continuous	Total
Customs	3	0	90	2	95
Finance	6	5	172	36	219
Human Resources and Administration	32	41	438	37	548
Infrastructure	2	19	75	2	98
Legal	12	196	76	18	302
Planning	10	70	162	35	277

Political Federation	20	36	153	9	218
Productive Sectors	21	72	157	5	255
SG	19	18	128	25	190
Social Sectors	23	50	159	1	233
Trade	3	3	101	3	110
Total	15	510	1711	173	2545

The Council made the following observations:

- a total number of 65 decisions and directives are duplicative or repetitive and need to be retired;
- a total number of 25 decisions and directives are overtaken by events and need to be retired;
- a total number of 295 decisions and directives have remained under implementation for more than 10 years;
- a total number of 56 decisions and directives have not been implemented for more than 10 years; and
- observed that while some Partner States are yet to undertake the Manpower surveys, the Partner States which had conducted Manpower surveys had not conducted them at the same time and the scope of the modules covered varied between Partner States thus making it difficult to compare the data collected.

The Council: -

- directed Partner States, Organs and Institutions to implement all the outstanding decisions and directives and report to the 44th Meeting of the Council (EAC/CM 43 / Directive 01); and**
- retired the decisions and directives that are duplicated/repeated in the monitoring matrix of all the previous decisions and directives as indicated in Table 4 below (EAC/CM 43/ Decision 01).**

Table 4 : Duplicated / repetitive decisions and directives proposed to be retired

NO	Decision/directive reference	Decision/directive
1	EAC/CM/40/Directive 15	The Council directed the Partner States to always comply with Regulation 23(5) of the Financial Rules and Regulations, 2012 and disburse their outstanding budgetary contributions for the FY 2020/2021 by 31st March, 2021 to enable the EAC Organs and Institutions discharge their mandate
2	EAC/CM/40/Directive 19	The Council directed Partner States to submit their comments on the proposed Schedule of Sanctions to the Secretariat by 30th April, 2021
3	EAC/CM 39/Decision 02	The Council urged the Partner States to remit the outstanding arrears in order to enable payment of the accumulated debts and save the Community from entering into consequences accompanied by failure to pay the debts including litigation
4	EAC/CM 39/Decision 04	The Council urged Partner States to remit their contributions in accordance with the Regulation 23(5) of the EAC Financial Rules and Regulations (2012)
5	EAC/CM 39/Directive 48	The Council directed the Partner States to disburse their outstanding budgetary contributions by 31st December 2019 to enable the EAC Organs and Institutions discharge their mandate.

NO	Decision/directive reference	Decision/directive
6	EAC/CM 38/Directive 01	The Council directed Partner States and EAC Organs and Institutions to implement all the outstanding decisions and directives of the Council and report progress to the 39th Meeting of the Council
7	EAC/CM 38/Directive 43	The Council directed the Partner States to abide by their legal obligations and disburse their budgetary contributions for the FY'2018/2019 by 15 June 2019 to enable the EAC Organs and Institutions discharge their mandate
8	EAC/CM37/ Directive 17	The Council directed Partner States to pay their budgetary contributions by 31st May 2018 to enable the EAC Organs and Institutions discharge their mandate.
9	EAC/CM37/ Directive10	The Council directed the Secretariat to review the paper on the assessment of the benefits of granting observer status in the EAC as guided in the observations and report to the 38th meeting of the council.
10	EAC/CM36/ Directive 01	The Council directed Partner States and Secretariat to expedite the implementation of all outstanding Decisions and Directives
11	EAC/CM36/ Decision 30	The Council commended the Republic of Uganda for ratifying the Tripartite Free Trade Area Agreement and directed the other Partner States to ratify the TFTA Agreement
12	EAC/CM36/ Directive 49	The Council directed the Partner States to always remit their full budgetary contributions by 31st December in line with Regulation 23 of the EAC Financial Rules and Regulations (2012)
13	EAC/CM35/Directive 01	The Council directed Partner States, EAC Secretariat and Institutions to implement all the outstanding decisions and directives and report progress to the 36th Council of Ministers
14	EAC/CM 35/Decision 05	The Council urged the United Republic of Tanzania to expedite the process of reviewing their legal framework and finalize internal consultations on harmonization of Work Permit Fees by September 2017;
15	EAC/CM 35/Directive 15	The Council directed the Partner States to enact, amend or harmonise their national laws in accordance with the reviewed Council Directives
16	EAC/CM 35/Directive 47	The Council directed Partner States to ratify the TFTA Agreement by 31st December 2017
17	EAC/CM 34/Directive 64	The Council directed Partner States to pay their respective contributions in view of the liquidity challenges at the Secretariat
18	EAC/CM 34/Directive 32	The Council directed Partner States to ratify the Tripartite Free Trade Area (TFTA) Agreement by 31st December, 2016
19	EAC/CM 34/Directive 26	The Council directed Partner States to amend their respective national laws to conform to the Common Market Protocol by December 2017
20	EAC/CM 34/Decision 75	The Council urged Partner States to urgently ratify the Tripartite FTA
21	EAC/CM33/ Directive 01	The Council directed Partner States and EAC Organs and Institutions to implement all the outstanding decisions and directives and report progress to the 34th Meeting of the Council
22	EAC/CM 33/ Decision 56	The Council re-iterated its earlier decision (EAC/CM EX/15/Decision 08) urging "Partner States to always effect their contribution to the EAC budget during the first half of the financial year" i.e. by 31st December
23	EAC/CM 32/Directive 07	The Council directed Partner States and EAC Secretariat and Institutions to implement all the outstanding decisions of the Council and report to the 33rd Meeting of the Council for consideration.
24	EAC/CM 32/Directive 30	The Council directed the Republic of Uganda and the Republic of Burundi to meet their financial commitment towards the IUCEA Headquarters construction.
25	EAC/CM31/ Directive 01	The Council directed the Secretariat and Partner States to implement the outstanding decisions/directives of the 30th Meeting of the Council and report progress to the 32nd Meeting of the Council.

N0	Decision/directive reference	Decision/directive
26	EAC/CM 31/Decision 21	The Council signed the Protocol on Privileges and Immunities of the EAC and directed Partner States to deposit the instrument of ratification with the Secretary General by November 2015
27	EAC/CM31/Directive 12	The Council directed the Secretariat to prepare the legal and budgetary implications and mobilize resources to undertake the study on the modalities of including French and Kiswahili as official languages of the Community by June 2016
28	EAC/CM30/Decision 35	The Council referred the following decisions of the Sectoral Council on Agriculture and Food Security with financial implications to the Finance and Administration Committee - (i) give a special waiver to recruit the three staff in the department in view of the on-going Institutional Review
29	EAC/CM30/Decision 54	The Council reiterated its previous decision urging Partner States to always effect their contribution to the EAC budget during the first half of the financial Year by 31st December, 2014
30	EAC/CM 29/Directive 38	The Council directed the Partner States to establish a mechanism for expediting the promulgation of Civil Aviation Regulations in the Partner States.
31	EAC/CM 28/Decision 06	The Council reiterated its earlier directive to the Partner States to expedite the implementation of the Council directives on the harmonization / approximation of national laws into EAC context by 31st December 2013.
32	EAC/CM 28/ Decision 25	The Council reiterated its previous decision that Partner States which are yet to do so, ensure that they bring the East African Community Double Taxation Agreement into force by April, 2014.
33	EAC/CM 28/ Directive 52	The Council directed Partner States to promulgate all developed and amended regulatory instruments-Primary and legislative to ensure uniform implementation.
34	EAC/CM 28/ Decision 91	The Council reiterated its previous decision directing the Republic of Uganda to expedite the process of transferring the Land title to EAC CASSOA from CAA Uganda.
35	EAC/CM 27/ Directive 04	The Council directed Partner States to expedite the implementation of the Council directives on the harmonization/approximation of national laws to conform to the Common Market Protocol by 31st December 2013.
36	EAC/CM 27/Decision 04	The Council reiterated its previous directive relating to remittance of contributions at the end of the first half of the financial year
37	EAC/CM 26/Directive 09	The Council directed the Republic of Burundi, the Republic of Kenya, The United Republic of Tanzania and the Republic of Uganda to complete procedures necessary to bring into force the Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and notify the Secretary General by 31st December 2012
38	EAC/CM 26/Directive 28	The Council directed Partner States to comply with the Council directives to always effect their contributions to the EAC Budget during the first half of the Financial Year.
39	EAC/CM 24/ Directive 49	The Council directed the Republic of Uganda to work closely with Inter-University Council for East Africa to reach an amicable solution on the matter of Houses at Plot 83-85, Prince Charles Drive in Kololo, Kampala
40	EAC/CM 24/ Directive 21	The Council directed the Secretariat to convene a Multi Sectoral Committee of Experts Meeting before end of January, 2012 to embark on the process of developing regional negotiating positions on Trade in Goods and Movement of Business Persons
41	EAC/CM 24/ Directive 22	The Council directed Partner States to meet their financial obligations as per the directive of the Council
42	EAC/CM 23/Directive 37	The Council directed the Partner States to expedite the ratification of the Protocol on Foreign Policy Coordination, pursuant to the directive of the 12th EAC Summit of Heads of State, and to deposit the instruments of ratification with the EAC Secretary General by 30th September 2011.
43	EAC/CM/22/Directive 08	The Council directed Partner States to bring into force the Agreement on the Avoidance of Double Taxation and Prevention of Fiscal Evasion with Respect

NO	Decision/directive reference	Decision/directive
		to Taxes on Income through Gazettement and notifications to each other by 30th June 2011
44	EAC/CM/22/Directive 08	The Council directed Partner States to bring into force the Agreement on the Avoidance of Double Taxation and Prevention of Fiscal Evasion with Respect to Taxes on Income through Gazettement and notifications to each other by 30th June 2011
45	EAC/CM/22/ Directive 63	The Council directed the Partner States to expedite the finalization of their respective National Manpower Surveys.
46	EAC/CM21/Decision 04	The Council reiterated its previous decision that Partner States which have not yet established National Competition Authorities to do so in order to facilitate operationalization of the EAC Competition Act
47	EAC/CM21/Decision 09	The Council directed that the EAC Protocol on Foreign Policy Co-ordination once approved by the Summit and signed by the Ministers, be ratified by Partner States by 30th June 2011
48	EAC/CM21/Directive 10	The Council directed Partner States to Harmonize their national laws with the EAC Common Market Protocol in accordance with the Post-Negotiation Implementation Programme adopted by the Heads of States at the 11th Summit,
49	EAC/CM20/Decision 52	The Council urged Partner States to honour the earlier decision of the Council to remit their contributions during the first half of the FY.
50	EAC/CM20/Directive 56	The Council directed the Secretariat to submit a comprehensive proposal on review of emolument and the terms of service of all Organs and Institutions of the Community upon completion of the comprehensive institutional review.
51	EAC/CM19/Decision 02	The Council urged Partner States to implement all previous and ongoing decisions of the Council
52	EAC/CM18/Decision 120	The Council urged Partner States to remit their contributions by 31st December each year as agreed
53	EAC/CM18/Decision 124	The Council urged Partner States to honour the decision of the 15th Council of Ministers held on 17th-18th March, 2008, which urged Partner States to affect their contributions during the first half of the Financial Year
54	EAC/CM18/Decision 102	The Council urged the Republic of Uganda, the Republic of Rwanda and the Republic of Burundi to establish competent national authorities on competition for purposes of the implementation of the EAC Competition Act
55	EAC/CM16/ Directive 02	The Council directed the Secretariat thereafter to submit the finalized Criteria and Procedures for the Establishment of EAC Organs and Institutions for consideration at a meeting to be convened before the 7th Extraordinary Summit of Heads of State.
56	EAC/CM16/ Decision 03	The Council urged the Republic of Kenya, The United Republic of Tanzania and the Republic of Uganda to ratify all outstanding protocols and deposit the instruments of ratification with the secretary General by 31st December, 2008.
57	EAC/CM 16/Decision 38	The Council urged the Partner States to expedite the harmonization of age limit of vehicles from the year of manufacture in accordance with the decision of the Sectoral Council on Trade, Finance and Investment of May 18th 2007.
58	EAC/CM16/ Decision 50	The Council urged Partner States to expedite the conclusion of the Protocol on Immunities and Privileges
59	EAC/CM15/Decision 50	The Council urged the Partner States to ensure that the respective national authorities and agencies regularly instruct their officials in operations to promptly implement decisions and directives made by the Council
60	EAC/CM14/ Decision 61	The Council urged Partner States, Organs and Institutions of the Community to adhere to the Rules of Procedure and the approved Calendar of Activities
61	EAC/CM13/Directive 03	The Council directed the Secretariat to research on the matter and draw best practices obtaining in other jurisdictions on admission of private entities and advise the Council appropriately

N0	Decision/directive reference	Decision/directive
62	EAC/CM13/Decision 42	The Council urged the Partner States Medical and Dental Practitioners Councils/Boards to grant reciprocal recognition, registration and licensure before 31st October, 2007 to medical and dental practitioners who are already validly registered and/or licensed to practice in any of the three EAC Partner States
63	EAC/CM 8/Decision 03	The Council urged Uganda and Kenya to expedite the formation of the national Kiswahili councils at any date not later than June 30th 2005.
64	EAC/CM5/Decision 45	The Council urged the Partner States and the Secretariat to conform to the EAC Calendar of Activities and established procedure in the attendance of meetings;
65	EAC/CM 4/ Directive 07	The Council urged the Partner States and the Secretariat to ensure prompt implementation of its decisions.

(c) retire the following decisions and directives listed in Table 5 below from the monitoring matrix as they are overtaken by events (EAC/CM 43/ Decision 02):

Table 5: Decisions and directives overtaken by events and proposed to be retired

N0	Decision/directive reference	Decision/directive
1	EAC/CM 39/Directive 56	The Council directed the Ad hoc EAC Service Commission to initiate the process of recruitment to fill the position of Principal Information and Public Relations Officer(P3) in line with the EAC Staff Rules and Regulations (2006) and the adopted Institutional Review Structure
2	EAC/CM 38/Decision 40	The Council appointed Ms. Beatrice Okello for the position of Project Accountant-Regional Integration Support Programme (RISP)
3	EAC/CM 38/Directive 08	The Council directed the Secretariat to mobilize resources to implement Directive No 25 of the 15th Summit to undertake a Study on the modalities of the inclusion of French as a language of the Community and report to the 39th Meeting of the Council.
4	EAC/CM 35/Directive 28	The Council directed the Partner States to establish a regional technical working group on harmonization of national laws as per Article 22 of the EAMU Protocol by June 2017.
5	EAC/CM 34/Directive 51	The Council directed the Secretariat to initiate the mechanism to guide the relationship between the Customs Union and other integration blocs specifically the EAC-EU-EPA in line with Article 37 of the Customs Union Protocol
6	EAC/CM 34/Decision 69	The Council recommended to the Summit to consider the different prevailing circumstances within the Partner States and provide in-built flexibilities in the signing, ratification and implementation of the EPA
7	EAC/CM31/Decision 01	The Council reiterated its earlier directive to Partner States to fully operationalize the web-based system and regularly update and report on the status of implementation of Council Decisions through EAMS.
8	EAC/CM31/Directive 12	The Council directed the Secretariat to prepare the legal and budgetary implications and mobilize resources to undertake the study on the modalities of including French and Kiswahili as official languages of the Community by June 2016
9	EAC/CM 28/ Directive 27	The Council directed the Republic of Uganda and the Republic of Burundi to expedite the process of remitting their contributions towards the construction of IUCEA Headquarters amounting to US\$ 1,000,000.

NO	Decision/directive reference	Decision/directive
10	EAC/CM 27/ Directive 34	The Council directed the Partner States to consult further on the proposal that the budget of the East African Community be financed from 1% of the value of imports from outside the East African Community.
11	EAC/CM 27/Directive 34	The Council directed the Partner States to consult further on the proposal that the budget of the East African Community be financed from 1% of the value of imports from outside the East African Community
12	EAC/CM 27/Directive 15	The Council directed the Verification Committee to submit the report of the verification exercise to the 29th Meeting of the Council scheduled for August 2014 for consideration
13	EAC/CM25/Directive 08	The Council directed the Secretariat to submit the East African Community Assets and Properties Protection Bill, 2012, to Partner States who will submit their comments on the same to the Secretariat by 30th October, 2012
14	EAC/CM 24/ Directive 08	The Council directed the Secretariat - (i) to develop a framework for harmonization of national laws on HIV/AIDS; and (ii) to expedite the conclusion of the Protocol on Cooperation in Health before a proposed Bill is further developed.
15	EAC/CM 24/Recommendation 04	The Council recommends to the Summit to direct the Council to initiate a Bill that will protect assets and properties of the Community and its institutions and introduce it in the East African Legislative Assembly (considering the provisions of Article 138 of the Treaty)
16	EAC/CM/22/Directive 23	The Council directed the Secretariat to reconcile the inconsistencies between the Charter and the Treaty with a view to allowing the EACDF to be hosted in the EADB
17	EAC/CM 17/Decision 08	The Council deferred the consideration of establishment of the above organs and institutions (East African Business Council, establishment of a bureau of speakers, proposal for transfer of the coordination of the Inter-Parliamentary Committee for East Africa to the East African Legislative Assembly and establishment of an East African Parliamentary Institute pending finalization of the criteria and procedures for the establishment of EAC Organs and Institutions
18	EAC/CM 17/Directive 07	The Council directed the Secretariat to use Partner States Expert to conduct an in-depth analysis on the admission of Private Institutions to EAC and expeditiously propose the amendment of Article 9 of the Treaty for the Establishment of the East African Community.
19	EAC/CM 17/Decision 20	The Council urged the Partner States to adopt traditional methods of justice and mediation based on the customs and traditions of the people but subject to entrenchment in the law;
20	EAC/CM15/Decision 22	The Council urged the Partner States to commit themselves to finance at least 20% of the total National Manpower Survey budget and to initiate the necessary process to integrate the manpower survey budget request within their 2008/2009 budget proposals.
21	EAC/CM15/Decision 69	The Council deferred consideration of the Secretariat's proposals (change of working hours for the staff of the Secretariat) in order to allow time for consultations among the Partner States
22	EAC/CM14/ Decision 17e	The Council urged Kenya and Uganda should fast track the implementation of the Kenya-Uganda pipeline extension project.
23	EAC/CM13/Decision 31	The Council urged the Partner States to make preparation for ratifying the Protocol on Environment and Natural Resources Management.

NO	Decision/directive reference	Decision/directive
24	EAC/CM13/Decision 41	The Council urged the EAC Partner States to grant reciprocal recognition to the Medical and Dental Practitioners Councils/Boards before 31st October, 2007 to medical and dental graduates from the following Medical and Dental Schools in East Africa
25	EAC/CM13/Decision 31	The Council urged the Partner States to make preparation for ratifying the Protocol on Environment and Natural Resources Management.

- (d) directed the EAC Secretariat to convene a meeting of the Experts from Partner States, EAC Organs and Institutions to review the decisions and directives that have taken more than five years under implementation and provide detailed reasons for the non-implementation and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 02);
- (e) referred the decision (*EAC/CM4/Decision 15*) directing Partner States to support the efforts in constructing the gas pipeline to Mombasa to the Sectoral Council on Energy for consideration and report to the 44th Meeting of the Council (EAC/CM 43/ Decision 03);
- (f) direct the Secretariat to convene a meeting of labour and statistics Experts to assess the status of Partner States National Manpower Surveys (MPS) in line with directives (*EAC/CM/22/Directive63*) and (*EAC/CM15/Directive08*) and report to the 44th Meeting of the Council (EAC/CM 43 / Directive 03); and
- (g) directed the Secretariat to present a progress Report on the establishment of the Peace and Security Council to the 44th Meeting of the Council (EAC/CM 43 / Directive 04).

PART II - REPORT OF THE OFFICE OF THE SECRETARY GENERAL

2.1 OFFICE OF THE SECRETARY GENERAL

The Council was informed that pursuant to Article 67 of the EAC Treaty, the EAC Secretary General undertook the following key activities during the period of reporting:

2.1.1 Official Mission to French Government, OIF and UNESCO in Paris to seek support on adoption of French and Kiswahili as official languages of the Community

Pursuant to the directive of the 22nd Ordinary Summit of the EAC Heads of State to expedite the implementation of the Roadmap on Kiswahili and French as official languages of the Community between 30th August and 5th September, 2022, the EAC Secretary General, Hon. (Dr). Peter Mutuku Mathuki, led a mission to Paris, France to seek support from Development Partners to seek support to operationalize this directive.

The Government of France through the Deputy Director for Africa and Indian Ocean in the French Ministry Responsible for Europe and Foreign Affairs, Mr. Clement Leclerc committed to facilitate integration of French in the EAC by providing interpretation equipment. In this regard, the EAC Secretary General has held follow up meetings at the French Embassy in Dar es Salaam.

The Council was further informed that UNESCO is committed to partnering with the East African Community to establish Kiswahili Cultural Centres and build capacity of EAC institutions on Kiswahili and French Languages.

The Council commended the initiatives of the Secretary General as well as the indicative commitments of UNESCO and the French Government to contribute to the implementation of the Summit Directive on adoption of Kiswahili and French languages.

The Council:

- a) took note of the initiatives by the Secretary General relating to the implementation of the Decision of the Summit adopting Kiswahili and French as official languages of the Community; and**
- b) directed the EAC Secretariat to formalize the commitments made by the French Government and UNESCO through appropriate legal instruments and report to the 44th Meeting of the Council (EAC/CM 43 /Directive 05).**

2.1.2 High Level Visits by the EAC Secretary General to Partner States and Other Partners on Council and Summit Directives

2.1.2.1 Official visit to DRC on integrating DRC into EAC and High-level Meeting with President of DRC from 6th – 9th September, 2022.

Following the admission of the Democratic Republic of Congo into the Community, the EAC Secretary General made a maiden visit to Kinshasa on 6th September, 2022, where he updated the His Excellency Felix Antoine Tshisekedi Tshilombo, on the status of the EAC Integration and the Roadmap on DRC integration into the EAC. The Secretary General informed the President of the urgent need for the DRC to elect 9 members to the EALA, nominate a Judge to the EACJ, appoint a Defense Liaison Officer; and their budgetary contribution to the East African Community.

The Council was informed that by letter dated 6th November, 2022 (ref.No.130/01642/22) addressed to the Secretary General, DRC nominated Mr. Kayembe Kasanda Ignace Rene, President of the Court of Appeal for appointment as a Judge of the East African Court of Justice Court in the First Instance Division. The DRC has since elected members to the East African Legislative Assembly and designated a Defence Liaison Officer.

The Council:

- a) took note of the official visit of the Secretary General to the DRC;**
- b) directed the EAC Secretariat to convene a meeting of Experts to consider the draft roadmap on integration of DRC into the Community and report to the 44th Council (EAC/CM 43/ Decision 04); and**
- c) received the name of Mr. Kayembe Kasanda Ignace Rene, from the Democratic Republic of Congo to be appointed as a Judge of the East African Court of Justice in the First Instance Division and forward the same to the Summit of EAC Heads of State for consideration and appointment.**

2.1.2.2 77th Session of the United Nations General Assembly, 17th – 29th September, 2022

The EAC Secretary General attended a joint meeting of the UN Security Council and African Union Peace and Security Council where he provided updates on the efforts by the EAC Heads of State on the EAC-led Nairobi process on restoration of peace and security in the Eastern DRC. He sought financial support from United Nations on the ongoing EAC-led Peace Process in the Eastern DRC.

The Council took note of the brief by the Secretary General to the joint meeting of the UN Security Council and African Union Peace and Security Council.

2.1.2.3 60th Independence Day for Uganda and courtesy call on H.E Yoweri Kaguta Museveni, President of the Republic of Uganda and H.E Dr. William S. Ruto, President of the Republic of Kenya and H.E. Uhuru Kenyatta former President of the Republic of Kenya and Facilitator of the DRC Peace Process, 9th to 13th October, 2022.

The Council was informed that the EAC Secretary General paid a courtesy call on H.E Yoweri Kaguta Museveni, President of the Republic of Uganda on 10th October, 2022 on the sidelines of the 60th Independence Day for Uganda and H.E. Dr. William S. Ruto, President of the Republic of Kenya and H.E. Uhuru Kenyatta former President of the Republic of Kenya and Facilitator of the EAC-Led Nairobi Process on 12th and 13th October 2022. The Secretary General updated the Heads of State on the state of the EAC integration and the progress on the EAC-Led Nairobi Process in the Eastern DRC.

The Council took note of the visits of the Secretary General to the Heads of State.

2.1.2.4 Mission to Somalia and Meeting with H.E Hassan Sheikh Mohamud, President of the Federal Republic of Somalia, 25th to 27th September, 2022

The EAC Secretary General paid a courtesy call on H.E. Hassan Sheikh Mohamud, President of the Federal Republic of Somalia to apprise the President on the processing of the application by the Federal Republic of Somalia to join the East African Community.

The Council took note of the Mission of the Secretary General to the Federal Republic of Somalia.

2.1.2.5 Meeting with H.E Evariste Ndayishimiye, President of the Republic of Burundi and Chairperson of the Summit of EAC Heads of State and H.E Uhuru Kenyatta, Facilitator of the EAC-Led Nairobi Process: 3rd to 4th October, 2022.

Following the decision of the Summit to streamline the Nairobi Process into the EAC, the EAC Secretary General and the Facilitator of the EAC-Led Nairobi Process, met with H.E Evariste Ndayishimiye, President of the Republic of Burundi and Chairperson of the Summit of EAC Heads of State, to discuss the peace and security situation in Eastern DRC, including the appointment of a Technical Advisor by each Partner State to support the Facilitator in carrying out his mandate.

The Council was informed that the Republic of Burundi, the Democratic Republic of Congo, the Republic of Rwanda, the Republic of Uganda, and the United Republic of Tanzania had each appointed a Technical Advisor to support the Facilitator of the EAC-Led Nairobi Process as follows:

- (i) Maj. Gen Silas Ntigurirwa for the Republic of Burundi;

- (ii) Maj. Gen Francois Kabamba for the Democratic Republic of Congo;
- (iii) Lt. Col. David Sangani for the Republic of Rwanda;
- (iv) Maj. Gen (Rtd) Octavoius Buturo for the Republic of Uganda; and
- (v) Amb. Lt. Gen (Rtd) Paul Ignas Mella for the United Republic of Tanzania.

The Council:

- a) **took note of the appointment of Technical Advisors to support the Facilitator of the EAC-Led Nairobi Process as follows:**
 - (i) **Maj. Gen Silas Ntigurirwa of the Republic of Burundi;**
 - (ii) **Maj. Gen Francois Kabamba of the Democratic Republic of the Congo;**
 - (iii) **Lt. Col. David Sangani of the Republic of Rwanda;**
 - (iv) **Maj. Gen (Rtd) Octavoius Buturo of the Republic of Uganda; and**
 - (v) **Amb. Lt. Gen (Rtd) Paul Ignas Mella of the United Republic of Tanzania**
- b) **directed the Republic of Kenya and the Republic of South Sudan to appoint Technical Advisors by 30th April, 2023 (EAC/CM 43/ Directive 06).**

2.1.2.6 High-Level Consultative Meeting of the Summit of EAC Heads of State on the Peace Process in the Eastern DRC: 7th – 8th November, 2022

On 7th November, 2022 the EAC Heads of State met on the sidelines of United Nations Framework on Climate Change UNFCCC-COP 27 and discussed the situation in the Eastern DRC and the EAC efforts towards restoration of peace and security in the region. The Heads of State also discussed the challenges and threats the region faces due to Climate Change. They noted that the increasing drought across the region was becoming a threat to food security.

The Heads of State committed to support the EAC-Led Nairobi Process in the DRC and agreed, among others nominate technical advisors to support the Facilitator of the EAC Led Peace Process.

The Council was informed that the Republic of Kenya and the United Republic of Tanzania have each contributed 1 million US dollars to the EAC Peace Facility to support the ongoing Peace Process in the Eastern DRC. The Republic of Uganda informed the Meeting that it will contribute one (1) million dollars to the Facility.

The Council was further informed that draft Operational Modalities of the EAC Peace Facility were developed by the Secretariat and refined by a multi-sectoral Experts Working Group as directed by the 10th Meeting of the Joint Sectoral Council on Cooperation in Defence Affairs, Interstate Security and Foreign Policy Coordination. The draft is awaiting adoption by the 12th Joint Meeting of the Sectoral Councils on: Cooperation in Defence Affairs, Interstate Security and Foreign Policy Coordination.

The Council:

- a) **commended the Republic of Kenya and the United Republic of Tanzania for their financial contributions to the EAC Peace Facility;**

- b) directed the Secretariat to convene a Joint meeting of the Sectoral Councils on Cooperation in Defence Affairs, Interstate Security and Foreign Policy Coordination to consider and finalize the draft Operational Modalities of the EAC Peace Facility by 30th March, 2023 (EAC/CM 43/ Directive 07); and
- c) directed the Secretariat to ensure that the utilization of funds of the EAC Peace Facility is in accordance with the provisions of the Treaty and the Financial Rules and Regulations of the Community (EAC/CM 43/ Directive 08).

2.1.3 US-Africa Leaders Summit: 13th – 15th December, 2022

The Secretary General participated in the US-Africa Leaders Summit hosted by the United States of America in Washington D.C from 13th – 15th December 2022. The objective of the Summit was to strengthen economic and political ties of mutual interest. It also served as an opportunity for the United States and Africa to identify key areas for collaboration.

The Summit was attended by the U.S. Head of State and Senior Officials from various U.S. State Departments and Agencies, African Heads of State and delegates from 49 African countries, the African Union, Regional Economic Communities, International Organizations and representatives from the private sector and civil society.

During the discussions, the African Heads of State and delegates agreed on the following positions:

A. Four measures to consolidate the current AGOA:

- 1. Extension of AGOA for a ten years period from 2025 to 2035
- 2. The AGOA's extension or renewable should be in place earlier in September 2023 rather than September 2024
- 3. When extended, AGOA should retain all the existing beneficiaries
- 4. Removable of the trade restrictions from African products that limit the use of AGOA at this moment

B. Four new measures to expand AGOA to make it more effective:

- 1. Expand the list of AGOA's products to make it wider (e.g. agro-processing value chain)
- 2. Expand beneficiary countries to include nonSub-Saharan African countries to ultimately cover the AfCTA countries
- 3. Make the rules governing access to the Market of US to be more flexible on AGOA Products
- 4. Support MSMEs such as youth and women owned business as well boost US investment in Africa.

- C. Establishment of a dialogue Forum on Trade and Investment Opportunities.
- D. Providing support in building the technical capacities of countries exporting to the USA under AGOA.

The Council took note of the developments from the US-Africa Leaders Summit.

2.1.4 Donation of vehicles to the EAC Secretariat by the Peoples Republic of China

In 2018, the East African Community and the Government of the People's Republic of China (PRC) signed an Agreement on Economic and Technical Cooperation aimed at further developing friendly relations and economic and technical cooperation between both parties. Pursuant to this Agreement, the PRC donated 8, (eight) motor vehicles to assist in the operations of the Community. The vehicles were consigned to Dar es Salaam, Tanzania under Bill of Lading number QDGY021397 dated 5th September, 2022 as detailed below;

Table 6:

S/No.	ITEM	DESCRIPTION	QUANTITY
1	Bus	26 - seater	2
2	Bus	36 - seater	1
3	Pick up	Double Cabin	5

Pursuant to the Treaty, the Protocol on Immunities and Privileges and the Headquarters Agreement, the EAC sought duty exemption and the vehicles were cleared and released from Customs on 12th November 2022.

The vehicles are at the EAC Headquarters and the Secretary General is developing guidelines for the utilization of the vehicles for the benefit of the Organs and Institutions of the Community.

The Council took note of the donation of vehicles to the Community and commended the Peoples Republic of China for their support to the EAC.

2.1.5 Relaunching the Nyerere Centre for Peace Research

Established in 2007, Nyerere Centre for Peace Research (NCPR) is envisaged to be EAC Centre of Excellence in research and capacity building in order to foster the Community cooperation in political matters. The Centre is mandated to provide the EAC Policy process with timely, relevant and empirical research evidence and

capacity-building to enhance peace and security, political affairs and international relations towards EAC Political Federation.

The Centre was initially supported under the Regional Integration Support Programme (RISP) funded by the European Union and collaboration with Arcadia University (USA). These collaborations ended in 2013 and the Centre became inactive with minimal initiative in youth leadership development interventions.

In August 2022, the EAC, Arcadia University and the American Graduate School (AGS) in Paris signed a trilateral Memorandum of Understanding (MoU) to revive programs at the Nyerere Centre. The EAC Secretariat, Arcadia University and AGS have agreed to collaborate in coordination, planning and implementation of programs, activities and operations of the Nyerere Centre for Peace Research. To kick-start running of programmes under the MoU, the Nyerere Centre for Peace Research was relaunched on 6th February 2023. The MoU is attached as **Annex VII**.

The Council took note of the relaunch of the Nyerere Centre for Peace Research on 6th February, 2023.

2.2 CONSIDERATION OF THE 7TH ANNUAL REPORT OF THE EAC AUDIT AND RISK COMMITTEE FOR THE FINANCIAL YEAR ENDED 30TH JUNE, 2022

Presentation of the 7th Annual Report of the EAC Audit and Risk Committee for the Financial Year ended 30th June, 2022

The East African Community Audit and Risk Committee is a technical committee of the Council of Ministers that was established pursuant to Regulation 110 of the EAC Financial Rules and Regulations to assist the Council in its oversight responsibilities regarding:

- a) the effectiveness of the processes of Corporate Governance;
- b) the integrity of the financial information;
- c) compliance with legislation, regulatory requirements and internal policies and procedures;
- d) the adequacy of the internal control system and risk management; and
- e) the performance of the EAC Internal Audit function.

Activities conducted by the Committee during the period under review

Regulation 112 (j) of the Financial Rules and Regulations and section IX (ii) of the Audit Charter require the Audit and Risk Committee to report annually to the Council in respect of its activities. During the reporting period, the Committee conducted the following activities:

- a) received and considered the Audit Commission's Reports on the audited financial statements of the organs and institutions for the financial year ended 30th June 2021 in line with Council directive **(EAC/CM 42/directive 05)**;

- b) received and considered the Internal Audit reports of the organs and institutions for the financial year ended 30th June 2022; and
- c) considered and approved the Risk-based Internal Audit Plans of the organs and institutions for the financial year 2022/2023.

In considering the aforementioned reports and plans, the Committee reviewed compliance to the governance structures, risk management and controls across the organs and institutions of the Community.

Recommendations of the Audit and Risk Committee

The Audit and Risk Committee recommends to the Council to:

- i. direct Heads of EAC Organs and Institutions to fully implement previous Council Directives and Decisions that emanated from the recommendations of the Audit and Risk Committee.
- ii. reiterate its earlier directive of urging Partner States to meet their financial obligations to the Community in accordance with Regulation 23(5) of the EAC Financial Rules and Regulations;
- iii. where applicable, exercise the application of Article 146 of the EAC Treaty on aspects of failure to meet financial commitments to the Community within a period of eighteen (18) months.
- iv. urge Partner States to timely honour the VAT claims to EAC Organs and Institutions in accordance to Headquarter Agreements
- v. direct the Secretariat to convene a special sitting for Council to consider the report of the special audit regarding the General Reserve Funds and Arrears to put in place a mechanism that will guarantee compliance in the use of funds from the General Reserve.
- vi. reiterate its earlier directive to EAC Organs and Institutions to put in place a project management mechanism to ensure that all necessary steps in project development are adhered to before projects are approved (*EAC/CM39/Directive18*);
- vii. reiterate its earlier directive that a Project Coordination Unit is established at the EAC Secretariat for better management of EAC projects (*EAC/CM39/Directive19*);
- viii. direct the EAC Organs and Institutions to make continuity plans for all projects of the Community;
- ix. direct the EAC Organs and Institutions to ensure branding of EAC projects and programmes to enhance their visibility.
- x. urge Partner States to fast track assent to bills that have been enacted by EALA;
- xi. direct EAC Secretariat to fast track the amendments of the legal instruments to enhance good governance in the EAC.

- xii. re-consider the decision made based on the report of the Ad hoc Service Commission. (*EAC/EX-CM 40/Decision 05*);
- xiii. conclude recruitment of critical staff for effective execution of the respective mandates;
- xiv. direct EAC Organs and Institutions to harmonize salaries and other benefits for temporary and short term Staff;
- xv. direct the EAC Secretariat to fast track the recruitment of the Registrar of the EACJ.
- xvi. direct EAC Secretariat to regularly review the air ticket rates in line with the market rates and submit to Council for consideration;
- xvii. direct EAC Organs and Institutions to adhere to respective controls to avoid the noted irregularities like:- procuring with Travel Agents without signed contracts, lack of competitive bidding on procurement of tickets.
- xviii. direct EAC Secretariat to implement the decision of the 2nd Extra Ordinary Summit to harmonize contracts for the EACJ Judges. (*EAC/SHSE2/Decision 05*).
- xix. direct the Secretariat to ensure that it always comply to EAC governing Laws and Procedures in executing its mandate including taking appropriate actions to address the irregularities observed during the year 2020/21;
- xx. direct Organs and Institutions to Fast track operationalization of the approved EAC Risk Management Framework Policy and Strategy
- xxi. direct IUCEA to ensure equity in the distribution of Academic Staff in the academic staff mobility programme among Partner States;
- xxii. direct IUCEA to implement strategies that will enhance participation of private Universities in the Academic staff mobility programmes;
- xxiii. direct IUCEA to ensure it embraces gender issues in executing the Academic staff mobility programme.
- xxiv. direct CASSOA to expedite the recruitment process of a Medical Assessor.
- xxv. direct the EAC Organs and Institutions to adhere to EAC Financial Rules and Regulations (2012).
- xxvi. direct Management of the EAC Organs and Institutions to ensure that assets of the Community are managed and utilised in accordance with the provisions of the EAC Financial Rules and Regulations.
- xxvii. direct the EAC Organs and Institutions to fully implement the recommendations as contained in 5th and 6th Annual reports of the Committee to Council.
- xxviii. direct the EAC Secretariat Comply with the existing and established procedures in matters of budget preparations and approval as well as investment of EAC resources.
- xxix. direct EAC Secretariat to ensure that it always comply to EAC governing Laws and Procedures in executing its mandate including taking

- xxx. direct EAC Secretariat to develop a mechanism of sharing interest received on investment of gratuity among EAC Organs and Institutions;
- xxxi. direct EACJ to effectively and promptly implement the Internal Audit recommendations.
- xxxii. direct the Clerk of the EALA to comply with the requirements of the Financial Rules and Regulations.
- xxxiii. direct IUCEA to ensure compliance with IUCEA Staff Rules and Regulations on human resource matters and asset management;
- xxxiv. direct IUCEA to ensure that applicants in the academic staff mobility programme are given equal opportunity to participate in the programme;
- xxxv. direct IUCEA to Institute controls in the Sun system during execution of its duties and comply with IUCEA Institutional policies on ICT governance.
- xxxvi. direct CASSOA to expedite the process of approving the staff structure for the new Centre of Aviation Medicine.
- xxxvii. direct EAC Secretariat to develop a mechanism of sharing interest received on investment of gratuity among EAC Organs and Institutions;
- xxxviii. direct EAC Secretariat to include a representative from EACA to the EAC Investment Committee.
- xxxix. direct LVFO to timely pay invoices and comply with EAC Rules and Regulations on opening of any bank accounts;
 - xl. direct LVFO to Fast track review of the ICT policy in order to address weaknesses related to database management;
 - xli. direct LVFO to Institute controls in the Sun system during execution of its duties.
 - xl.ii. direct EASTECO to harmonize the two Council decisions (*EAC/EX-CM 40/Decision 05*) and (*EAC/CM 42/Directive 38*);
 - xl.iii. direct EASTECO to address the Governance and Control weaknesses.
 - xl.iv. direct EAKC to address Governance and Control weaknesses.
 - xl.v. direct LVBC to fully refund the borrowed funds, unauthorised payment of Responsibility allowance and un surrendered imprest and other control weaknesses as reported.
 - xl.vi. direct EAHRC to address the reported Governance and Control weaknesses.
 - xl.vii. strengthen the Internal Audit Units across EAC Organs and Institutions by increasing the number of staff and enhancing Internal Audit budget including the capacity building;
 - xl.viii. direct IUCEA Management to provide direct budget to facilitate Internal Audit activities.
 - xl.ix. direct the EAC Secretariat to organize physical verifications of EAC Projects by the EAC Audit and Risk Committee.

- I. direct the Secretariat to submit the proposed amendments in the EAC Audit and Risk Committee Charter to the next EAC Council of Ministers for consideration.

The Council:

- a) received the 7th Annual Report of the Audit and Risk Committee for the Financial Year ended 30th June, 2022 (EAC/CM 43 Decision 05);
- b) directed the Secretariat to convene a meeting of Permanent Secretaries/Principal Secretaries/Under Secretaries, Heads of Organs/ Institutions and members of the Audit and Risk Committee to consider the 7th Annual Report of the Audit and Risk Committee and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 09);
- c) directed that all reports to the Council should be submitted through the Coordination Committee and should include an implementation matrix on the way forward (EAC/CM 43/ Directive 10); and
- d) urged the Democratic Republic of Congo to nominate a member for appointment to the EAC Audit and Risk Committee by 30th March 2023 (EAC/CM 43 Decision 06).

2.3 LEGAL AND JUDICIAL AFFAIRS

PROPOSED FRAMEWORK ON INVESTIGATION OF BREACHES, AMENDMENTS TO RULES OF PROCEDURE OF THE POLICY ORGANS AND SCHEDULE OF SANCTIONS

The Council recalled that at its 40th Meeting on the 25th February 2021, directed the Secretariat to submit the proposed draft Schedule of Sanctions to the Partner States for their comments by 31st March, 2021 (**EAC/CM/40/Directive18**); and directed Partner States to submit their comments on the proposed Schedule of Sanctions to the Secretariat by 30th April, 2021(**EAC/CM/40/Directive19**). Subsequently, at the 22nd Meeting of the Sectoral Council on Legal and Judicial Affairs, the Secretariat was directed to submit the proposed schedule of sanctions to Partner States and procedure for investigation of breaches by 10th November 2021.

The proposed sanctions need to be accommodated within the relevant legal and policy framework and the Secretariat has accordingly interrogated aspects that require the attention of the Partner States and inevitably the Council of Ministers as a policy organ. These aspects include amendments to the Protocol on Decision Making by the Council of Ministers and the Rules of Procedure of the policy organs, which will make the implementation of the framework to investigate breaches of the Treaty seamless.

The proposed Framework on Investigation of Breaches, Amendments to Rules of Procedure of the Policy Organs and Schedule of Sanctions are attached as **Annex VIII**.

The 42nd Council directed:

- a. *the Republic of Kenya, Republic of Rwanda, the Republic of Uganda, Republic of South Sudan and the United Republic of Tanzania to submit their comments on the proposed framework on Investigation of Breaches, Amendments to the Rules of Procedure of the Policy Organs and the Schedule of Sanctions to the Secretariat by 15th September, 2022 (EAC/CM 42/directive 09); and*
- b. *the Secretariat to include the proposed framework on Investigation of Breaches, Amendments to the Rules of Procedure of the Policy Organs and the Schedule of Sanctions as a distinct item on the Agenda of the 43rd Council (EAC/CM 42/directive 10).*

The Council directed the Secretariat to convene a Meeting of Senior Officials and Legal Experts from Partner States to discuss the policy implications arising from the Framework on Investigation of Breaches, Amendments to Rules of Procedure of the Policy Organs and Schedule of Sanctions, and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 11).

2.4 DEFENCE SECTOR

EAC Defence Sector Calendar of Activities for the Period January to June 2023

At its 35th Meeting held on 3rd December 2022 in Arusha, United Republic of Tanzania, the Sectoral Council on Cooperation in Defence Affairs considered the report of the Consultative Committee on Cooperation in Defence and made Decision/Directive related to the approved Calendar of activities that need the Council's attention.

The Sectoral Council considered and approved the proposed EAC Defence Sector Calendar of Activities for the Period January to June 2023 (EAC/SC/35/2022 Decision 45).

The adopted Defence Sector Calendar of Activities for the period January to June 2023 is hereto attached **Annex IX**.

The Council observed that the Calendar of Activities for the Defence Sector should always be incorporated and form part of the overall calendar of the Community.

2.5 REPORT ON POLITICAL MATTERS

2.5.1 PEACE AND SECURITY

A: Establishment of the EAC Counter Terrorism Centre

The 41st Meeting of the Council of Ministers considered the Report of the 10th Joint Meeting of the Sectoral Councils on Cooperation in Defence Affairs, Interstate Security and Foreign Policy Coordination and deliberated *inter-alia* on the proposal to establish an EAC Counter Terrorism Centre. The 41st Meeting of the Council observed that:

- a) The establishment of the EAC Counter Terrorism Centre should be anchored in a legal instrument;
- b) The request for the establishment of the EAC Counter Terrorism Centre has been long outstanding and it is in the interest of the Community that its establishment be expedited;
- c) The Council of Ministers need to recommend to the Summit of Heads of State the establishment of the Centre and mandate the Secretariat to activate the laid down procedure for establishment of EAC Organs and Institutions as provided for in Article 9(2) of the Treaty.

The Council directed the Republic of Rwanda to expedite the finalization of the internal consultations on the proposal to establish the EAC CT Centre and report to the 42nd Meeting of the Council of Ministers. **(EAC/CM 41/Decision 57).**

The Republic of Rwanda informed the Session that she had finalized her internal consultations and agrees to the establishment of the Centre and observes that the Centre should be included on the list of Organs and Institutions for which the Council is going to determine the Host Partner States.

The Council:

- a) **took note that the Republic of Rwanda had finalized consultations on the establishment of the EAC Counter Terrorism Centre; and**
- b) **directed the Secretariat to submit financial implications of the proposed establishment of the EAC Counter Terrorism Centre to the 44th Meeting of the Council (EAC/CM 43/ Directive 12).**

2.5.2 POLITICAL AFFAIRS

A: Drafting the Constitution for the Political Confederation

At its 42nd meeting held on 12th July, 2022, the Council of Ministers observed that:

- a. the progress for the drafting of the Constitution for EAC Political Confederation is behind schedule and there is need to conclude the national consultations; and
- b. there is need for the Constitutional experts to consider incorporating the Democratic Republic of Congo in the Roadmap for consultations in the Partner States.

At the same meeting the Republic of Kenya informed the meeting that she will be ready to host the national consultations in May, 2023 while the Republic of Rwanda informed the meeting that she was ready to host the national consultations from July, 2022.

Accordingly, the Council directed the Constitutional Experts to review the Roadmap for consultations in the Partner States and submit the revised Roadmap to the Partner States for their preparation. (EAC/CM 42/directive 13). Furthermore, the 22nd Ordinary Summit of Heads of State held on 22nd July 2022, also received an update on the progress of the national consultations on the EAC Political Confederation Constitution and directed the Council to expedite the process.

Pursuant to the above referenced directives from the Council of Ministers and the Summit of Heads of States, the Secretariat schedule a meeting of the Constitutional Expert with the aim of integrating the Democratic Republic of Congo (DRC) and the Consultation for the Republic of Rwanda to be held back-to-back from 5th to 16th December 2022. In a letter dated 28th November, 2022, the Republic of Rwanda requested the Secretariat to postpone consultations scheduled in December 2022. The meeting of the Constitutional Experts to integrate the DRC as well did not take place.

In order to integrate the DRC in the Constitution drafting process, the Secretariat, in August 2022, requested the DRC to submit the names of Constitutional Experts to join the team from other Partner States. To date, the Secretariat has not received the nominated Constitutional Experts for DRC.

The Republic of Kenya reiterated her readiness to conduct consultations in May, 2023 and requested the budget provided for consultations in the Republic of Rwanda and the United Republic of Tanzania be reallocated to the consultations in the Republic of Kenya.

The Council:

- a. directed the Democratic Republic of the Congo to submit three nominees to join the EAC Political Confederation Constitution Drafting Team (two Constitutional Experts and one Legal Drafter) by 30th March, 2023 (EAC/CM 43 /Directive 13);
- b. directed the Secretariat to coordinate preparations with the Republic of Kenya and conduct consultations in May, 2023 (EAC/CM 43/ Directive 14); and
- c. directed EAC Secretariat to facilitate Constitutional Experts to review the Roadmap for the drafting of the Constitution for the EAC Political Confederation during the period of consultations in the Republic of Kenya and submit to Partner States for planning purposes (EAC/CM 43/ Directive 15).

C: The Annual EAC Youth Leadership Summit 2022

The EAC Secretariat in Collaboration with the MS-Training Centre for Development Cooperation and the East African Business Council supported the Annual EAC Youth Leadership Summit which took place from 12th – 16th December 2022 at the EAC HQ under the theme: “**Digital Access and the Future of Work**”

The Summit attracted 300 delegates participating physically and thousands more participating through virtual online platforms. The delegates had the opportunity to participate and contribute under four systematic areas namely: The Under 40 Political Leadership Forum, Gender Equality Forum and Arusha Peace Forum in addition to many other pre-summit activities like the Climate Change Marathon, Tubonge East Africa, Policy Makers and Development Partners Roundtable and East African Youth Enterprise Award. The full report of the Youlead Summit is hereto attached as **Annex X**.

The Council took note of the above developments.

2.6 RESOURCE MOBILISATION

Status of the Resource Mobilization efforts from July-December 2022

As mandated by Article 71 (i) of the Treaty Establishing the EAC, the Secretariat continued to seek support from Development Partners for the implementation of EAC Projects and Programmes. From July 2022 to December 2022, new developments within the Resource Mobilization portfolio include signing of the following Financing Agreements:

- a) European Union (EU) worth EUROS 600,000, signed on 30th August 2022 towards support to the EAC Institutional Strengthening Project and supplementary support to the EAC Institutional Strengthening Project through Technical Assistance worth EUROS 1 million.

- b) USAID worth USD 722,438.00, signed on 5th December, 2022 towards support to the Agriculture, Customs and Trade sectors; and an additional USD 100 million (in both direct and complementary funding) towards support to the Regional Developmental Objective Grant Agreement (RDOAG).
- c) In addition, the People's Republic of China under the China-Aided Project donated 3 buses and 5 double cabin (4 X 4) pick-ups which were delivered to the EAC on 24th October, 2022.

The EAC Secretariat seeks to embark on strategic approaches and activities aimed at mobilizing resources for the implementation of the EAC 6th Development Strategy and to expand and increase EAC's resource base. In light of this, the Secretariat also plans to expedite on the finalization on the Draft EAC Resource Mobilization and Partnerships Strategy and the Guidelines for Engagement with Development Partners by July 2023; these being key tools and instruments of the Resource Mobilization process.

The Council took note of the Status of the Resource Mobilization efforts by the Community between July and December 2022.

PART III - REPORT ON PLANNING AND INFRASTRUCTURE

3.1 PLANNING

3.1.1 Consideration of the Global and Sector-Specific Priority Areas for the Financial Year 2023/24

The Council will be informed that the EAC Pre-budget Conference was convened between 22nd and 23rd September, 2022 to develop consensus on the Global and Sector-specific Priority Areas for the Community the Financial Year 2023/24. The Pre-budget Conference also considered the Community's Annual Targets for the FY 2023/24 to achieve a deeper linkage between the EAC Annual Operational Plan and the 6th EAC Development Strategy (2021/22 – 2025/26).

The Conference agreed on the following nine (9) Global Priority Areas for the FY 2023/24: -

- a) Strengthening of regional governance processes, and domestication of regional and international commitments for sustainable peace and stability;
- b) Increasing sensitisation, visibility, knowledge, awareness and participation of the private sector, citizens and other stakeholders in the EAC integration process;
- c) Harmonisation of trade related policies, laws and regulations, and streamlining of customs and trade facilitation systems for increased trade and investment;
- d) Harmonisation of fiscal and monetary policies, and establishment of requisite institutions towards the realisation of the East African Monetary Union;

- e) Leveraging modern technologies to enhance productivity, value addition, and to promote regional supply and value chains and digital platforms;
- f) Enhancement of the regional productive capacity and increase in value addition to improve the economic welfare of East Africans;
- g) Strengthening of the social sectors to improve the social welfare of East Africans;
- h) Improvement and expansion of quality multi-modal and multi-sectoral infrastructure to support free cross-border movement;
- i) Strengthening of the capacity of all EAC Organs and Institutions to effectively discharge their mandate;

The Matrix of the agreed Global and Sector-specific Priority Areas for the FY2023/24 is attached hereto as **Annex XI**.

The Council considered and adopted the Global and Sector-specific Priority Areas for the FY 2023/24.

3.1.2 Consideration of the Resolutions of the High-Level Retreat on the EAC Common Market Protocol

The Council will recall that the High-Level Retreat on the EAC Common Market Protocol (CMP) was held between the 19th and 21st of July 2022 at the EAC Headquarters in Arusha. The objective of the Retreat was to provide an opportunity for the Council of Ministers, Permanent/Principal Secretaries from the Partner States, Heads of Diplomatic Missions, Captains of Industry, Civil Society, academia, and media representatives to take stock of the progress and challenges in implementing the CMP.

The Retreat took stock of the significant achievements and challenges in implementing the CMP and proposed interventions to unlock bottlenecks in the respective freedoms and rights to facilitate full realization of the benefits of the Common Market.

General observations

The Retreat observed that :

- a) There is need to:
 - (i) reinvigorate standalone ministries of EAC Affairs for better coordination;
 - (ii) enhance awareness of the EAC integration agenda.
- b) The EAC Partner States should develop regional laws to strengthen the implementation of the Common Market Protocol.

Resolutions of the Retreat

The Council of Ministers considered the above recommendations from the four break-out sessions and presented the following resolutions to the 22nd Summit of the EAC Heads of State on 21st July for strategic direction and impetus to accelerate the implementation of the EAC Common Market Protocol.

- (1) Put measures in place to increase intra EAC Trade from the current 15% to 50% in the next five years and direct Partner States to:
 - a) Finalise the Regional Local Content Policy and prioritise allocation of resources in agriculture and industrialisation to boost production;
 - b) Ratify Article 24(2) of the Protocol on the Establishment of the Customs Union to operationalise the trade remedies Committee to handle disputes on trade-related matters;
 - c) Fully implement the commitments made in Annex V on the Schedule of Commitments on the Progressive Liberalisation of Services;
 - d) Prioritise the harmonisation of domestic taxes by July 2024;
 - e) Develop regional laws to enhance the implementation of the Common Market Protocol; and
 - f) Expedite the implementation of the One Area Network on voice and data;
- (2) Direct Partner States to fast-track establishment of a single EAC Air transport market and harmonise fees, levies and taxes on aviation, support cargo services, and lower air transport within the EAC region;
- (3) Direct the Council to expedite the establishment of the Sectoral Council on Labour, employment and migration to oversee implementation of commitments under the sector, including portability of public health and social security benefits;
- (4) Direct the Partner States to strengthen national and regional capacity to implement the Consultative Dialogue Framework (CDF) to undertake regular interface with the private sector, civil society and other interest groups;
- (5) Direct Partner States to reinvigorate standalone ministries of EAC Affairs for better coordination;

These resolutions were presented to the 22nd Summit of EAC Heads of State which directed the Council to re-examine further the resolutions and report to the 23rd Summit of the EAC Heads of State.

The Council directed the Secretariat to convene a Retreat of Permanent/Principal/Under Secretaries accompanied by an Expert to re-examine the resolutions of the High-Level Retreat on the EAC Common Market by 30th April, 2023 and report to the 44th Meeting of the Council. (EAC/CM 43 /Directive 16).

3.1.3 Hosting of the East African Monetary Institute (EAMI) and Other Organs and Institutions of the Community which are not yet permanently hosted

The 40th Council of Ministers held on 25th February 2021 determined 1st July, 2021 as the commencement date for the East African Monetary Institute Act 2019. The Council also directed the EAC Secretariat to initiate the process of identifying the host Partner State for the EAMI, in accordance with the EAC procedures. The Council, further determined that the EAMI host Partner State should cover office rent, office equipment, utilities and other support for the first two years.

Accordingly, the EAC Secretariat, invited interested Partner States to submit proposals or applications to host EAMI. Five EAC Partner States, namely Republic of Burundi, Republic of Kenya, Republic of Rwanda, Republic of Uganda and the United Republic of Tanzania, submitted applications to host the EAMI. However, the Republic of Rwanda through letter referenced 1081/09.01/EAC/22 withdrew her expression of interest to host the EAMI before the commencement of the verification mission. Table 2 below summarizes the applications to host the EAMI by four EAC Partner States including the facilities being offered.

Table 7: Summary of Offers submitted by EAC Partner States to host the EAMI

PARTNER STATE	DATE SUBMITTED	FACILITIES OFFERED
Republic of Uganda	25 th May 2021	Fully furnished office premises, All costs for utilities, office equipment, and other recurrent costs for the preparatory period; Land for construction of permanent structures for EAMI, Five million USD to start off the construction of permanent structures for EAMI and Accommodation for the head of EAMI for two years.
United Republic of Tanzania	25 th May 2021	Fully furnished office premises at the Ngorongoro Building in Arusha. In addition, free office space at the Bank of Tanzania 'state of the art' Twin Towers in Dar es Salaam will be availed for immediate use by EAMI staff for logistical activities at the Commercial City. 100% office rent throughout the life of EAMI, Residential houses for EAMI staff for period of 6 months, Land for construction of permanent office for EAMI HQ and EACB and 40% of the funds required for construction of EACB HQ
Republic of Kenya	28 th May 2021	Modern office facilities at the KSMS or at CBK pension Tower; Office rent, office equipment, utilities and other required support systems for 2 years
Republic of Burundi	15 th June 2021	A building to hosting the EAMI for transitional time, Land for building EAMI HQ and House and vehicle for the EAMI Chief Executive Officer for one year

In line with the EAC procedures, the Secretariat constituted a Verification Committee composed of three (3) delegates from each of the EAC Partner States and supported by the EAC Secretariat. The verification exercise was conducted from 7th to 22nd

March, 2022 and was guided by the Criteria for the Seating of EAC Organs and Institutions. The Report of the Verification Committee was presented to the 42nd Meeting of the Council held in Arusha on 12th July, 2022.

OBSERVATIONS OF THE 42ND MEETING OF THE COUNCIL ON THE REPORT OF THE EAMI VERIFICATION COMMITTEE

The 42nd Ordinary Meeting of the Council considered the report of the Verification Committee and observed as follows:

- There are Organs and Institutions of the Community whose headquarters have not been determined by the Council and are temporarily hosted at the EAC Secretariat in Arusha. There is need for the Council to formally determine the headquarters of these organs and institutions;
- The Secretariat should establish the number of Organs or Institutions hosted by each Partner State to guide the Council in arriving at a decision on hosting of EAC Organs and Institutions;
- Determining the hosting of the Organs and Institutions of the Community which are not yet hosted should be done simultaneously, taking into account which Partner State is hosting which Organs and Institutions;
- Some institutions are highly specialised and require certain conditions which may not be present in all Partner States to host a particular institution. It is important for the Council to establish the suitability of a location for hosting specific institutions of the Community.

In light of these observations, the Council decided to continue with consultations on the matter of hosting EAMI taking into account the views expressed by the Partner States and decide the matter during the 43rd Council (EAC/CM 42/decision 12). The Council also decided to consider the distribution of Organs and Institutions that are not yet headquartered including those that are temporarily hosted at the EAC Headquarters during the 43rd Council (EAC/CM 42/decision 13). The Council directed the Secretariat to submit to the Partner States an analysis of the distribution of the Organs and Institutions of the Community before the 43rd Council (EAC/CM 42/directive 14).

HOSTING OF THE EXISTING ORGANS AND INSTITUTIONS OF THE COMMUNITY

The Council was informed that currently, the Community has a total of twelve Organs and Institutions. The headquarters for the EAC Secretariat are in Arusha in the United Republic of Tanzania. The East African Legislative Assembly and the East African Court of Justice whose headquarters are not determined by the Council are temporarily hosted at the EAC Headquarters. Nine institutions are permanently hosted by different Partner States. The East African Competition Authority whose

headquarters are not yet determined by the Council is also temporarily hosted at the EAC headquarters.

The Tables below provide a summary of the current hosting of the existing Organs and Institutions of the Community:

Table 8 : Organs/Institutions temporarily hosted at EAC Headquarters

S/No	INSTITUTION/ORGAN	CURRENT LOCATION
1	East African Legislative Assembly (EALA)	Currently hosted at EAC Headquarters
2	East African Court of Justice (EACJ)	Currently hosted at EAC Headquarters
3	East African Community Competition Authority (EACA)	Currently hosted at EAC Headquarters

Table 9: Institutions permanently hosted by the Partner States

S/No	INSTITUTIONS	HOST PARTNER STATE
1	Lake Victoria Basin Commission (LVBC)	Republic of Kenya
2	East African Science and Technology Commission (EASTECO)	Republic of Rwanda
3	EAC Health Research Commission (EAHRC)	Republic of Burundi
4	Civil Aviation Safety and Security Oversight Agency (CASSOA) ¹	Republic of Uganda
5	Inter-University Council for East Africa (IUCEA)	Republic of Uganda
6	Lake Victoria Fisheries Organisation (LVFO)	Republic of Uganda
7	East African Development Bank (EADB)	Republic of Uganda
8	East African Kiswahili Commission (EAKC)	United Republic of Tanzania

In addition, Bills for the establishment of the following three institutions have been passed by the EALA and are awaiting assent by the Heads of State:

- i. East African Statistics Bureau;
- ii. East African Financial Services Commission; and
- iii. East African Surveillance Compliance and Enforcement Commission;

There is need for the Council to determine the headquarters for the three Institutions in accordance to Article 136 (2) of the Treaty.

¹ Center for Aviation Medicine is a specialized department of CASSOA which is based in Nairobi, Kenya

The Council recalled its decision to continue with consultations on the matter of hosting EAMI taking into account the views expressed by the Partner States at the 42nd Meeting of the council (**EAC/CM 42/Decision 12**)

The Council urged all the Partner States to finalise consultations on the hosting of the Organs and Institutions of the Community and report to the 44th Meeting of the Council (EAC/CM 43 Decision 07).

3.1.4 Report of the 14th Meeting of the Sectoral Council on Finance and Economic Affairs (SCFEA)

The Council was informed that at its 14th Meeting held on 18th November, 2022 Arusha Tanzania, the Sectoral Council on Finance and Economic Affairs (SCFEA) considered reports of various sectoral committees, including the Sectoral Committee on Statistics and the report of the joint meeting of Committee on Fiscal Affairs (CFA), Economic Affairs subcommittee of the MAC and Capital Markets, Insurance and Pensions Committee (CMIPC) and made the following recommendations:

3.1.4.1 Consideration of the Report of the Joint Meeting of Committee on Fiscal Affairs (CFA), Economic Affairs Subcommittee of the MAC and Capital Markets, Insurance and Pensions Committee (CMIPC)

Implementation of the Roadmap for Realisation of the East African Monetary Union (EAMU)

The EAC Partner States signed the Protocol on the Establishment of the East African Monetary Union (EAMU) in November 2013, setting out the process and convergence criteria for attainment of a Monetary Union in the EAC region within a period of 10 years. The Monetary Union was expected to be in place in 2024.

The Session observed that:

(a) Implementation of Customs Union and Common Market Protocol

- ii. Progress in eliminating restrictions and trade barriers remains slow with Partner States continuing to introduce new measures despite their obligations under the Common Market Protocol.
- iii. In goods, the Partner States subject intra-regional trade to Non-Tariff Barriers (NTBs) and use of Sanitary and Phytosanitary Standards (SPS) and Standards as technical barriers to trade.
- iv. In services, Partner States remain non-compliant in their commitments, with the total number of Non-Conforming Measures (NCMs) rising to 60 from 57 in 2016.
- v. Although Partner States have continued to guarantee free movement of workers in the EAC region, movement of workers remains hindered by a number of obstacles, including complex procedures for obtaining work

permits in some Partner States and misalignment of national laws with the provisions of the Common Market Protocol.

(b) Establishment of EAMU Institutions

The EAMU Protocol provides for the establishment of four support institutions including, the:

- i. East African Monetary Institute;
- ii. East African Statistics Bureau;
- iii. East African Surveillance, Compliance and Enforcement Commission; and
- iv. East African Financial Services Commission.

According to the Roadmap on the Establishment of the EAMU, the East African Monetary Institute was supposed to be established in 2015 and the other three institutions in 2018. However, this was not possible, partly due to the protracted processes on establishment of institutions of the Community, slow implementation of the Customs Union and Common Market Protocol and the COVID-19 pandemic.

The East African Monetary Institute Act, 2019, establishing the EAMI has been operationalized whereas the Bills for the EAC Bureau of Statistics, the EAC Surveillance, Compliance and Enforcement Commission and the EAC Financial Services Commission were passed by the EALA in December 2022 beyond the 2018 timeline specified in the Roadmap.

(c) Attainment of EAC Macroeconomic Convergence Criteria

The EAMU Protocol provides for a set of four primary convergence criteria which must be attained and maintained by each Partner State, for at least three years before joining the Monetary Union. These include:

- (i) a ceiling on headline inflation of 8 percent;
- (ii) reserve cover of 4.5 months of import;
- (iii) a ceiling on the overall deficit of 3 percent of GDP, including grants, and
- (iv) a ceiling on gross public debt of 50 percent of GDP in net present value terms.

An assessment of progress towards achieving these primary convergence criteria shows that most Partner States were unable to achieve the agreed targets by 2021, partly due to the impact of COVID 19 on Partner States' economies and the need to close the infrastructure gaps. Specifically;

- i. four Partner States (United Republic of Tanzania, Republic of Kenya, Republic of Rwanda and Republic of Uganda) attained the headline inflation target of less than 8 percent in 2021. Republic of Burundi and Republic of South Sudan did not attain this particular criteria.

- ii. three Partner States (United Republic of Tanzania, Republic of Rwanda and Republic of Kenya) attained the official foreign exchange reserve target of 4.5 months of imports. Official foreign exchange reserves for the Republics of Burundi, South Sudan and Uganda were below the target of 4.5 months of import cover.
- iii. three Partner States (United Republic of Tanzania, Republics of South Sudan and Uganda) attained the debt to GDP target of less than 50 percent (NPV); while Republics of Burundi, Kenya and Rwanda had their debt to GDP ratios above the 50 percent target.
- iv. no Partner State was able to attain the fiscal deficit criterion of 3% of GDP (including grants).

Coordination and Harmonization of Fiscal Policy

The EAMU Protocol provides for coordination and harmonization of fiscal policies during the transition to the Monetary Union, which according to the EAMU roadmap was to be achieved by 2018. Despite the progress made, some activities earmarked in the Action Plans to be undertaken by 2021 had not been carried out as planned due to various challenges, including financial implications and protracted processes and procedures.

Review of the Timelines for Realisation of the East African Monetary Union

The Sectoral Council on Finance and Economic Affairs considered the 18 activities in the roadmap for realization of the EAC Monetary Union and the new timelines proposed by the Joint Meeting of Committee on Fiscal Affairs (CFA), Economic Affairs Subcommittee of the MAC and Capital Markets, Insurance and Pensions Committee (CMIPC) in respect of each activity. The revised Roadmap for the Realization of the East African Monetary Union is attached hereto as **Annex XII**.

The Sectoral Council on Finance and Economic Affairs also noted the need for developing a monitoring framework for the EAMU roadmap to track the implementation all activities in the roadmap.

Recommendations of SCFEA

The 14th Meeting of the Sectoral Council on Finance and Economic Affairs:

- i. Approved and recommended to the Council to adopt the revised roadmap for the realization of the East African Monetary Union*
- ii. Recommended to the Council to direct Partner States to strictly adhere to the new timelines in the revised EAMU roadmap.*
- iii. Recommended to the Council to expedite the establishment of East African Monetary Institute considering that the Institute is expected to carry out the bulk of the preparatory work for the establishment of the Monetary Union, including the implementation of the revised EAMU roadmap.*

- iv. *Recommended to the Council to prioritize establishment of the East African Statistics Bureau and the East African Surveillance, Compliance and Enforcement Commission, given the critical role to be played by these institutions in the implementation of the revised EAMU roadmap.*
- v. *Recommended to the Council to direct Partner States to develop revised Medium Term Convergence Programmes (MTCPs) to guide the attainment of the EAC Macroeconomic Convergence Criteria in line with the revised EAMU roadmap.*
- vi. *Directed the EAC Secretariat to convene a joint meeting of Committee on Fiscal Affairs (CFA), Economic Affairs subcommittee of the MAC, Sectoral Committee on Statistics and Capital Markets, Insurance and Pensions Committee (CMIPC) to develop an Action Plan and a comprehensive monitoring framework for the EAMU roadmap and identify potential risks for non-implementation/delayed implementation of the roadmap as well as mitigation measures for such risks, for consideration by the 15th meeting of the Sectoral Council on Finance and Economic Affairs*
- vii. *Directed the Committee on Fiscal Affairs to revise the PFM Action Plans in line with the Revised EAMU Roadmap.*
- viii. *Directed the Committee on Fiscal Affairs to expedite the development of detailed proposals for harmonization of the Excise tax, VAT and income tax regimes as well as tax procedures, in line with the EAC Policy for Harmonization of Domestic Taxes.*
- ix. *Directed the EAC Secretariat to fast-track the framework for integration of trading, securities depository, payment and settlements infrastructure (CMI).*
- x. *Recommended to the Council to allocate resources to facilitate the work of the Taskforce charged with the development of a Bill for the establishment of East African Stabilization Fund.*

The Report of the 14th meeting of the Sectoral Council on Finance and Economic Affairs is hereto attached as **Annex XIII**.

The Council:

- a) **adopted the revised roadmap for the realization of the East African Monetary Union (EAC/CM 43 Decision 08);**
- b) **directed Partner States to develop their revised Medium Term Convergence Programmes (MTCPs) to guide the attainment of the EAC Macroeconomic Convergence Criteria in line with the revised EAMU roadmap and report to the 44th Meeting of Council (EAC/CM 43/ Directive 17); and**
- c) **directed the EAC Secretariat to develop a draft Action Plan and a comprehensive monitoring framework for the EAMU roadmap and identify potential risks for non-implementation/delayed implementation of**

the roadmap as well as mitigation measures and report to the 44th Meeting of Council (EAC/CM 43 /Directive 18).

3.2 INFRASTRUCTURE

CONSIDERATION OF THE REPORT OF THE SECTORAL COUNCIL ON TRANSPORT, COMMUNICATIONS AND METEOROLOGY

The Session was informed that the 18th Meeting of the Sectoral Council on Transport, Communications and Meteorology (TCM) was convened from 6th - 10th February, 2023 in Bujumbura, Burundi. The Sectoral Council made the following decisions and recommendations that have policy, legal or financial implications:

3.2.1 Coordination of regional railways matters in railways sub-sector

The Sectoral Council on TCM observed that railways sub-sector in the EAC lacked a specific desk officer to handle matters pertaining to railways projects taking place in the region. In the past the AfDB supported recruitment of a Technical Assistant (in 2014 - 2016) to coordinate the regional railway programmes such as the East African Railway Master Plan (2010) and EAC Railway Sector Enhancement Project (2012). However, upon the expiry of this support, the Secretariat still experiences a capacity gap in this area and has not been effectively monitoring the development of national railways programmes with a view to harmonizing the standards to ensure inter-operability. Thus, the development of the regional railways network requires a coordinated approach as part of integration process.

The Sectoral Council on TCM recommended that a position of Senior Railways Officer be established at the EAC Secretariat to handle regional railway matters.

Coordination of Regional Maritime Matters in the Maritime Transport Sub-sector

The Sectoral Council on TCM noted that since the creation of the Directorate of Infrastructure in 2007, maritime matters have been coordinated by the Senior Meteorological Officer and the sub-sector has been relatively neglected. The Maritime Transport Sub-sector at the Secretariat does not have a dedicated officer to oversee the docket. There is a need for the Council to consider establishing a position of a Maritime Officer at the Secretariat.

The Council directed the Secretariat to undertake job evaluation and workload analysis to determine the establishment of the positions of the Senior Railways Officer and Maritime Officer and submit to the Retreat of Permanent/Principal/Under Secretaries for consideration (EAC/CM 43/ Directive 19).

3.2.2 The EAC Framework for Consumer Protection in E-Commerce for Postal Service

The Session was informed that the Secretariat with the support of GIZ developed an EAC Framework for Consumer Protection in E-Commerce for Postal Services. The Framework is anchored on the implementation of the EAC Postal Strategy and the EAC E-Commerce Strategy and provides guidelines to enhance the protection of consumers within the community drawing from the unique consumer experiences, needs and aspirations.

The 18th TCM adopted the EAC Framework for Consumer Protection in E-Commerce for Postal Services and is attached as **Annex XIV**.

3.2.3 Implementation of the Framework for Harmonized EAC Roaming Charges

The Framework for Harmonized EAC Roaming Charges was developed and approved by the 30th Meeting of the Council of Ministers in 2014 and endorsed by the EAC Heads of State in February 2015. The framework-imposed price caps on roaming charges and called for the removal of surcharges on cross-border telecommunications traffic originating and terminating within the East African Community.

The 16th Ordinary Summit *directed the Council to expedite implementation of the Framework for Harmonized EAC Roaming Charges, including the removal of surcharges for international telecommunications traffic originating and terminating within the East African Community by 15th July 2015.* •

The Sectoral Council on TCM noted the different levels in the implementation status of the roaming framework and decided that the Partner States needed to report their implementation status to the Council of Ministers for further direction.

3.2.4 Status of implementation of the Systems for Identifying and Control of Traffic Refiling and Fraudulent Termination of International Traffic

The Sectoral Council on TCM received an update regarding the status of the implementation of the systems for identifying and control of traffic refiling and fraudulent termination of international traffic.

The Sectoral Council on TCM noted the disparities in the implementation status of the systems and decided that the Partner States needed to report their implementation status to the Council of Ministers for further direction.

3.2.5 The Establishment of an EAC Institution to coordinate development of the Communication Sector

The 41st Council directed the Republic of Kenya, Republic of Burundi and the United Republic of Tanzania to expedite the finalization of internal consultations on the proposal to establish an EAC Institution to coordinate development of the Communication Sector and report to the 42nd Meeting of the Council. **(EAC/CM41/Directive 36)**. The Session received updates as per Table below:

Table 10:

Partner State	Update
Republic of Burundi	The Republic of Burundi is still undertaking country consultations and will submit her comments to the Secretariat by 30 th March, 2023
Republic of Kenya	Republic of Kenya through letter referenced EAC/5/11/Vol.46/(114) and dated 16th February, 2023 indicated that the Republic of Kenya notified the Secretary General that: - Kenya had finalized internal consultations on the proposal to establish an EAC Institution to coordinate development of the Communication Sector. (EAC/CM 41/Directive36) and the Republic of Kenya is in agreement with the proposal to establish to coordinate development in the communications sector. - The Republic of Kenya took note that the Institutions of the EAC are established by the Summit under Article 9(2) of the Treaty. - The Republic of Kenya further took note that an Institution known as East African Communication Organisation (EACO) had applied to be recognized as an EAC Institution and that EACO as currently constituted does not conform to the nature and principles of EAC Institutions. - The Republic of Kenya proposed that the Council considers and recommends the formation of an Institution to coordinate the Communications Sector in the Community to the Summit of Heads of State, while ensuring conformity to the principles and practices in the formation of EAC institutions.
United Republic of Tanzania	United Republic of Tanzania submitted its position in a letter reference: CRA.177/883/01 'B'/39 dated 14th February 2023 indicating that URT - URT had concluded her internal consultations and supports / agrees with the proposals to upgrade East African Communication Organization (EACO) to be a regional communication institution to coordinate the development of the Communication sector in the EAC. - URT further emphasized that on upgrading EACO all the procedures for establishing an EAC institution as per the EAC Treaty and the procedures for and for

	designating the proposed institution host country should be adhered to.
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The Council:

- a) adopted the EAC Framework for Consumer Protection in E-Commerce for Postal Services for implementation (EAC/CM 43 Decision 09);
- b) directed the Republic of Burundi and the United Republic of Tanzania to implement the EAC Roaming Framework by 30th August, 2023 and the Secretariat to provide status of implementation to the 23rd Summit (EAC/CM 43 /Directive 20); and
- c) directed Partner States to fully implement the systems for identifying and controlling traffic refiling and fraudulent termination of international traffic as directed by the 30th Council of Ministers in November 2014 and provide progress at the 44th Meeting of the Council (EAC/CM 43/ Directive 21).

3.2.6 Decision of the 42nd Council on the Heads of State Retreat on Infrastructure Development and Financing

The 42nd Council directed the Secretariat to organize the next Heads of State Retreat on Infrastructure Development and Financing to precede the 23rd Summit of Heads of State (EAC/CM42/Directive22).

Preparations for convening of the 5th Retreat

The 5th Retreat of the Heads of State was expected to be held in 2020. However, due to the COVID-19 pandemic it was not possible to convene the event.

The Sectoral Council on TCM observed the need for EAC Secretariat to develop a Concept Paper convening the 5th Retreat. The TCM further observed the need to establish a regional steering committee comprising experts from Partner States which should work with the Secretariat in organizing the Heads of State Retreat on Infrastructure Development and Financing.

The Council directed Partner States to nominate two (2) Experts to the Regional Steering Committee for the 5th Heads of State Retreat on Infrastructure Development and Financing by 15th April, 2023 (EAC/CM 43 /Directive 22).

PART IV: REPORT ON PRODUCTIVE AND SOCIAL SECTORS

4.1 PRODUCTIVE SECTORS

4.1.1 Environment and Natural Resources Management

Development of the EAC Water Policy and Integrated Water Resources Management Strategy

The 42nd Ordinary Meeting of the Council of Ministers considered the final draft EAC Water Policy (2022) and EAC Integrated Water Resources Management (IWRM) Strategy (2022/23-2032/33) hereto attached as **Annexes XII and XIII**. The overall objective of the EAC Water Policy is to contribute to poverty reduction and sustainable development by guiding the Partner States on water resources management, reconciling economic development, social equity and environmental protection. The IWRM Strategy sets out a number of strategic objectives based on the priority areas and objectives of the EAC Water Policy.

The Republic of Uganda requested for time to conclude its internal consultations and report to the 43rd Meeting of the Council of Ministers.

The Council:

- (a).deferred the approval of the EAC Water Policy (2022) and EAC Integrated Water Resources Management (IWRM) Strategy (2022/23-2032/33) to the 43rd Meeting of the Council of Ministers (**EAC/CM 42/decision 34**); and
- (b).directed the Republic of Uganda to conclude internal consultations and report to the 43rd Meeting of the Council of Ministers (**EAC/CM42/decision 24**).

The Republic of Uganda informed the 44th Meeting of the council that it is still undertaking internal consultations on the matter and will report to the 44th Meeting of Council.

The Council directed the Republic of Uganda to expedite finalization of their internal consultations on the EAC Water Policy (2022) and EAC Integrated Water Resources Management (IWRM) Strategy (2022/23-2032/33) and report to the 44th Meeting of Council (EAC/CM 43/ Directive 23).

4.1.2 Tourism and Wildlife Management

Development of Minimum Standards for Tourism Service Providers

The 10th Meeting of the Sectoral Council on Tourism and Wildlife Management held from 27th – 30th June, 2022 considered and made decisions on several Tourism and Wildlife matters including the validated minimum standards for tourism service

providers that include minimum standards for Tour Operators, Travel Agents, Tourist Guides, Community Based Tourism Enterprises (CBTEs) and Tourist Attraction Sites.

The objective of these minimum standards is to:

- a) encourage and promote uniformity of the tourism service provision amongst the different Partner States in the EAC;
- b) ensure that tourism services are provided in a safe and most appropriate way;
- c) promote collaboration among tourism service providers in the EAC Partner States; and,
- d) serve as an additional tool to promote the region as a single tourism destination.

The Sectoral Council adopted the Minimum Standards and observed that implementation of the minimum standards will be instrumental in provision of quality tourism services across the region **EAC/SCTWM 10/Decision 03**).

The Report of the 10th SCTWM is herewith attached as **Annex XV**.

The Council:

- a) **approved the Minimum Standards for Tour Operators, Travel Agents, Tourist Guides, Community Based Tourism Enterprises (CBTEs) and Tourist Attraction Sites (EAC/CM 43/Decision 10); and**
- b) **directed the Secretariat to mobilize resources to facilitate translation of the Minimum Standards for Tour Operators, Travel Agents, Tourist Guides, Community Based Tourism Enterprises (CBTEs) and Tourist Attraction Sites into Kiswahili and French and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 24).**

4.2 SOCIAL SECTORS

4.2.1 HEALTH

4.2.1.1 Consideration of the Report of the 22nd Sectoral Council of Ministers of Health

The 22nd Sectoral Council of Ministers of Health that took place from 11th to 15th July 2022 in Arusha considered reports from the 6 Standing Technical Working Groups under the EAC Health Sector. The full report is attached as **Annex XVI**.

Updates on operationalization of the EAC Regional Health financing Hub

The 43rd Council of Ministers will recall that the 20th and 21st Ordinary meetings of the Sectoral Council of Ministers responsible for health Approved the Hosting of the **Regional Health Financing Hub** (RHFH) at the EAC Secretariat in the health

department and approved the revised Terms of Reference for the EAC expert working group on sustainable health financing. This was informed by the Africa Union Commission's (AUC) choice of the EAC Secretariat to pilot the RHFH and share lessons with other RECS, that will achieve the vision of the Africa **Leadership Meeting (ALM) on Investing in Health**.

The RHFH are an ideal platform for: engaging governments, private sector and development partners; advocacy to all AU Member States; showcasing products of research and innovation; knowledge sharing among member states and RECs; and resource mobilization.

The 22nd SCH further directed the EAC Secretariat to convene the Regional High-level dialogue on Sustainable Financing by October 2022 (*EAC/SCHealth/22/Directive 045*);

The Session observed that there is need to prepare adequate documentation to facilitate the successful convening of the Regional High-level dialogue on Sustainable Financing of Health.

The Council directed the EAC Secretariat to develop a concept paper on the Regional High-level Dialogue on Sustainable Financing of Health and transmit the concept paper to Partner States by 23rd March, 2023 (EAC/CM 43/ Directive 25).

4.2.2 CONSIDERATION OF THE REPORT OF DIRECTORS OF LABOUR ON FINALISATION OF REVISED DRAFT EAC LABOUR MIGRATION POLICY

The Session was informed that the 30th Meeting of the Sectoral Council of Ministers responsible for EAC Affairs and Planning held on 11th October 2019, directed the EAC Secretariat to expedite the finalization of the draft EAC Labour Migration Policy and report progress to the 31st SCMEACP (**SCMEACP 30/Directive 10**). Due to budgetary constraints, the EAC Secretariat was unable to finalize the draft policy in readiness for consideration by the 31st SCMEACP. During the Financial Year 2020/2021, the EAC Secretariat obtained financial support from the African Union Commission (AUC) Joint Labour Migration Programme (JLMP) and developed a Draft Policy. The main objective of the policy is to promote labour migration governance, effective regulation, protection of migrant workers' rights and maximizing the benefits of labour migration.

Upon the finalisation of national consultations, a regional validation meeting of Directors of Labour on the draft Policy was held from 3rd to 8th May 2021 in Dar es Salaam, Tanzania. The Draft EAC Labour Migration Policy was submitted to the Forum of Ministers responsible for Labour and Employment.

The 5th Meeting of the Forum of Ministers responsible for Labour and Employment held from 25th to 29th October, 2021 directed the EAC Secretariat to convene a meeting of Directors of Labour by Video Conferencing to validate the draft EAC Labour Migration Policy by 28th February 2022 (**EAC/FMLE05/Directive 08**).

The Directors of Labour validated and finalized the draft EAC Labour Migration Policy. The Report of the Meeting is attached as **Annex XVII**. The validated draft EAC Labour Migration Policy is hereto attached as **Annex XVIII**.

The United Republic of Tanzania informed the Session that is still undertaking consultations on the draft EAC Labour Migration Policy.

The Council urged the United Republic of Tanzania to expedite internal consultations on the draft EAC Labour Migration Policy and report progress to the 44th Meeting of the Council (EAC/CM 43/ Decision 10).

4.2.3 CONSIDERATION OF THE REPORT OF DIRECTORS OF LABOUR AND DIRECTORS OF SOCIAL SECURITY INSTITUTIONS

The Session was informed that Article 10 (3) (f) of the EAC Common Market Protocol, stipulates that the free movement of workers shall entitle a worker to enjoy the rights and benefits of social security as accorded to the workers of the host Partner State. Article 10 (4) of the Protocol states that for the implementation of subparagraph (f) of paragraph 3, the Council shall issue Directives and make Regulations on Social Security Benefits.

The draft Directive on Coordination of Social Security Benefits was developed in accordance with Article 10(4) of the Protocol. The general purpose of the Directive on Coordination of Social Security Benefits is to provide a mechanism that will facilitate the coordination and maintenance of acquired rights of Social Security Benefits for workers and self-employed persons within the EAC Common Market. The coordination mechanism is based on the five social security fundamental principles of International Labour Organisation.

The draft Directive on Coordination of Social Security Benefits was developed and presented to the 22nd Meeting of the Council of Ministers held from 11th-15th April 2011 Directive (**EAC CM/ 22/ decision 57**). The EAC Secretariat was directed to undertake a review of the draft EAC Council Directive taking into consideration initiatives being undertaken in the financial and health sectors and other legal reforms in the Partner States and report to the 40th Ordinary Meeting of the Council of Ministers (**EAC/CM 39/Directive 46**).

Upon completion of regional and national consultations a Meeting of Directors of Labour and Directors of Social Security Institutions held from 15th – 18th November 2022 finalized and validated the Draft Directive on Coordination of Social Security Benefits.

The validated draft EAC Council Directive on Coordination of Social Security Benefits is hereto attached as **Annex XIX**.

The Council referred the draft EAC Council Directive on Coordination of Social Security Benefits to the Sectoral Council on Legal and Judicial Affairs for legal input and report to the 44th Meeting of the Council (EAC/CM 43/ Decision 11).

PART V – REPORT ON CUSTOMS AND TRADE MATTERS

5.1. CUSTOMS MATTERS

The Session was informed that the 41st Meeting of the Sectoral Council on Trade, Industry, Finance and Investment (SCTIFI) was held from 29th November to 2nd December 2022 to consider among others, matters related to Customs and Trade. The Report of the Sectoral Council is annexed hereto as **Annex XX**.

The Sectoral Council made the following decisions and directives that have policy, legal or financial implications:

5.1.1. EAC ASSEMBLY SCHEME REGULATIONS, 2022

During the 40th SCTIFI meeting, the Ministers considered the EAC Assembly Scheme Regulations which were adopted in principle by the Sectoral Council of Finance and Economic Affairs (SCFEA). The objective of the Regulations is to facilitate and regulate manufacturing of parts for the assembly of motor vehicles, motor cycles and to promote the assembly sector in the Community. The meeting was informed that the Republic of Rwanda needed to undertake further consultations on the regulations and directed that she submits her comments on the Assembly Scheme Regulations by 30th June, 2022 (*EAC/SCTIFI 40/Directive 20*)

The 41st SCTIFI, of 2nd December 2022 was informed that the Republic of Rwanda submitted her comments and were considered and validated by the Sectoral Committee on Customs during their meeting of November 2022.

The Sectoral Council on Trade, Industry, Finance and Investment considered and adopted the EAC Assembly Scheme Regulations, 2022 which are hereto attached as **Annex XXI**. (*EAC/SCTIFI 41/ Decision 16*).

The Council referred the Draft EAC Assembly Scheme Regulations to the Sectoral Council on Legal and Judicial Affairs for legal input and report to the 44th Meeting of the Council (EAC/CM 43/ Decision 12).

5.2. TRADE MATTERS

5.2.1. ELIMINATION OF NON-TARIFF BARRIERS (NTBs)

Under Article 13 of the Protocol on the Establishment of the Customs Union, Partner States agreed to remove, with immediate effect, all the existing non-tariff barriers to the importation into their respective territories of goods originating in the other Partner States and, thereafter, not to impose any new non-tariff barriers.

The 41st Sectoral Council on Trade, Industry, Finance and Investment held from 28th November to 2nd December 2022 in Arusha, Tanzania considered the status of NTBs in the Community. During the reporting period, a total of six (6) NTBs were resolved,

seven (7) remained at different levels of resolution while two (2) new NTBs were reported. To date a total of 257 (Two Hundred and Fifty-Seven) NTBs have been resolved cumulatively since 2007.

The Details on the status of NTBs is as follows:

Table 11: Status of NTBs

NO.	REFERENCE	DESCRIPTION
OUTSTANDING NTBS		
1.	NTB-000-657	Numerous monetary charges required by various agencies in the United Republic of Tanzania on exports of dairy products (imposed by all EAC Partner States on various products)
2.	NTB-000-769	Despite Kenya Tobacco raw material being fully sourced in Kenya, the manufacturers are required to pay 80 per cent higher excise for cigarettes exports into Tanzania (imposed by URT against Kenya).
3.	NTB-000-864	Discriminatory treatment of Kenyan manufactured products among others Juices products Kenya reported that the Juices are still charged 13% excise duty (imposed by Uganda against Kenya).
4	NTB-000-947	Uganda rejection of tissue paper manufactured in Kenya by Africa Cotton Industries. Uganda does not allow group packaging of tissue paper as provided for under the EAC harmonized standard (imposed by Uganda against Kenya).
5	NTB-000-906	Uganda does not recognize the Calibration Certificate issued by the Weights and Measures Agency (WMA) for oil tank from URT (imposed by Uganda against URT)
6	NTB-001-040	Tanzania denial of preferential market access for Apple Juice and Strawberry manufactured in Kenya while citing reasons that the products are not originating from Kenya (imposed by URT against Kenya)
7	NTB-001-070	URT discriminatory charges of import TSh.700 and unfounded charges of Tsh.1000 to Kenya confectionary, sugar and sugar products. The same excise duty is not applicable to the same or like products produced in URT hence creating unfair competition between the Partners States Originating products (imposed by URT against Kenya).
RESOLVED NTBs		
1	NTB-000-358	The process of obtaining DRC OGEFREM certificate delays cargo at the port and increases costs. Procedure is too long as it involves exporter paying fees at Tanzania Revenue Authority in Dar es Salaam Office and then take the document for endorsement by DRC. This is applicable only to transit goods to DRC (imposed by URT against DRC)

NO.	REFERENCE	DESCRIPTION
2	NTB-000-857	Tanzania charging of Business Visa of USD 250 to EAC business persons entering URT charged as Certificate of Temporary Assignment (CTA) at all borders (imposed by URT against all EAC Partner States)
3	NTB-000-836	Milk exported to Tanzania attracts numerous charges collected by different institutions including Tanzania Bureau of Standards, Tanzania Foods and Drugs Authority and Tanzania Dairy Board (imposed by URT against Rwanda)
4	NTB-000-924	Discriminatory treatment (Excise duty) (verification charges) of Kenyan manufactured products among others pharmaceutical products (imposed by Uganda against Kenya)
5	NTB-001-067	Non recognition of Truck specifications approved and registered in Uganda (imposed by Kenya against Uganda)
6	NTB-001-068	Denial of Market access for Happy sausage Ltd into Kenya (imposed by Kenya against URT).
NEW NTBs		
1		UNBS requires re-labeling of the cosmetics and food products pertaining to specific UNBS new requirements and not EAC Harmonized standard. Seizure No. UNBS/SZ/0000742 dated 10th October 2022. (imposed by Uganda against Kenya)
2	NTB-001-078	The Republic of Kenya is delaying in responding to the Request by the Republic of South Sudan on reverting to clearing RSS Cargo at Mombasa Port other than Nairobi. (imposed by Kenya against RSS)

The Council:

- a) took note of the status of the resolution of Non-Tariff Barriers (NTBs) in the region; and
- b) directed Partner States to resolve the outstanding NTBs and refrain from imposing new NTBs (EAC/CM 43/ Directive 26).

5.2.2. THE 22ND EAC MICRO, SMALL AND MEDIUM ENTERPRISES (MSMEs) TRADE FAIR

The 22nd EAC MSMEs Trade Fair was held from 8th-18th December 2022 at Kololo Independence Grounds in Kampala, Uganda. The theme of the Trade Fair was “**Buy East African to Build East Africa for Resilience and Sustainable Development**”. The Trade Fair attracted a total of 1,500 exhibitors from all Partner States including DR Congo. This indicated an increase of approximately 1,000 exhibitors compared to 2017 MSMEs trade fair.

A daily Symposium was organized to enhance the capacity of exhibitors on EAC

integration matters that affect MSMEs. The Daily Symposium and the Trade Fair were livestreamed on YouTube and other social media to ensure wide coverage.

To encourage online trading, 500 exhibitors were registered on the EAC Buyer-Seller Platform which is an electronic business platform to enhance wider market access.

The 23rd EAC MSMEs Trade Fair will be held in the Republic Burundi in accordance with the decision of SCTIFI (***EAC/SCTIFI 41/ Decision 22***).

The Council:

- a) **commended the Republic of Uganda for successfully hosting the 22nd EAC MSMEs Trade Fair (EAC/CM 43/ Decision 13);**
- b) **directed the Republic of Burundi to commence preparations for the 23rd MSMEs Trade Fair (EAC/CM 43/ Directive 27); and**
- c) **directed the Secretariat to convene Meetings of the Regional Steering Committee to prepare and coordinate the organization of the 23rd MSMEs Trade Fair (EAC/CM 43/ Directive 28).**

5.2.3. PROGRESS REPORT ON THE AFRICAN CONTINENTAL FREE TRADE AREA (AfCFTA)

Pursuant to the directive of the 41st Meeting of the EAC Council of Ministers held on 12th July 2022, the Partner States revised the EAC Tariff Offer for Category A products in order to align it to the revised EAC Common External Tariff. The revised EAC Tariff Offer comprises 90% of total tariff lines to be liberalized over a 10-year time frame starting 1st January 2021. It has since been gazetted for implementation.

The EAC Secretary General submitted the revised EAC Tariff Offer for Category A products to the AfCFTA Secretariat and notified the Secretary General of AfCFTA of the publication of the EAC Tariff Offer in the East African Community Gazette. By letter dated 27th September, 2022, the AfCFTA Secretary General notified the EAC Secretariat that the revised EAC Tariff Offer was not in compliance with the adopted modalities of the AfCFTA Agreement as the base year used in tariff reduction should be the tariff rates applicable on 30th May 2019, when the AfCFTA Agreement came into force.

The EAC Secretary General recommended to the AfCFTA Secretary General to communicate the EAC Status to the next meeting of the AfCFTA Council of Ministers held in October 2022. However, at the meetings of the AfCFTA Council of Ministers held on 7th and 28th October 2022, this matter was not raised. Nevertheless, the AfCFTA Secretariat submitted the initial EAC Tariff Offer that had been adopted by the AfCFTA Council of Ministers on 26th July 2022, to the 17th Extraordinary Session of the AU Assembly held on 25th November 2022 in Niamey, Niger.

The AfCFTA Secretary General responded on 11th February 2023 reiterating the need for EAC's Schedule of Tariff Concessions to comply with the Agreed Modalities and the AfCFTA Agreement, to safeguard the rule-based AfCFTA system. The letter is hereto attached as **Annex XXII**.

The Session was informed that:

- The AfCFTA Tariff Modalities indicate that the base rate to apply to the tariff negotiations shall be the applicable rates upon entry into force of the AfCFTA which was 30th May 2019 and by then the EAC applicable rates were based the Common External Tariff 2017 version with a three band structure.
- The 35th Ordinary Session of the AU Assembly of Heads of State held on 5th – 6th February 2022 in Addis Ababa directed the AfCFTA Secretariat to assist the State Parties in migrating to the HS 2022 and transpose their Schedules of Tariff Concessions to HS 2022.
- The EAC Tariff Offer that was submitted to the AfCFTA Secretariat adopted by SCTIFI on 18th February 2022, was verified and approved by the AfCFTA Council of Ministers 27th July 2022, and subsequently considered by the 17th Extraordinary Session of the AU Assembly held on 25th November 2022 in Niamey, Niger.
- The EAC tariff offer was based on the EAC-CET 2017 HS version with three tariff bands of 0%, 10% and 25%. It has been uploaded on the AfCFTA E-Tariff Book which is used by the public to access their tariff schedules of AfCFTA State Parties.
- Should the EAC decide to maintain the status quo of using its revised Tariff Offer with the 4-band CET rates, EAC offer may not be considered and approved by the AfCFTA Council of Ministers since it does not meet the tariff modalities. Subsequently, EAC will be excluded from Annex 1 of the AfCFTA Protocol on Trade in Goods (Provisional Schedules of Tariff Concessions). Thus, the EAC revised offer would be viewed as a unilateral offer from the part of EAC with no obligation by other AfCFTA State Parties to provide tariff preferences to qualifying imports originating from EAC Partner States.
- The AfCFTA Agreement will be subject to review every five (5) after its entry into force. The EAC may consider using the review clause of the AfCFTA Agreement to renegotiate the tariff modalities, in particular, the base rate in order to have the updated tariff offer accepted and adopted by the AfCFTA Policy Organs.
- In the meantime, EAC could revert to its earlier Tariff Offer (3-band tariffs – base rate of 2019) with a proviso to transpose the offer from HS 2017 to HS 2022. This is because some tariff lines in HS 2017 version are no longer in existence under HS 2022 which many countries are implementing. Partner States will also be

required to reconfigure their customs systems to cater for the EAC Tariff Offer with the 3-band rates.

The Republic of Uganda informed the Coordination Committee that they will provide their position during the Ministerial Session.

The Council:

- (a) rescinded its earlier decision to align and gazette the EAC Tariff Offer for Category A Products to the Revised EAC CET (EAC/CM 43/ Decision 14); and**
- (b) directed the EAC Secretariat to gazette the initial Tariff Offer on Category A products and notify the AfCFTA Secretariat by 31st March, 2023 (EAC/CM 43/ Directive 29).**

5.2.4. Guided Trade Initiative

In view of the delay in the start of trading under the AfCFTA, which was to have begun on 1st January 2021, the AfCFTA Council of Ministers launched the Guided Trade Initiative in October 2022 to facilitate trade among the State Parties that have met the minimum requirements for trade. This is being done through linking businesses and products for export and import between interested State Parties. Thus far, Ghana, Kenya, Rwanda, Egypt, Mauritius and Cameroon have initiated trade under AfCFTA preferences.

The Council took note of the Guided Trade Initiative by Kenya and Rwanda under the AfCFTA to facilitate trade among the State Parties and urged other EAC Partner States to support their private sector to take advantage of the AfCFTA Market(EAC/CM 43/ Decision 15).

5.2.5. 'CONSIDERATION OF THE EAC SPECIAL ECONOMIC ZONES (SEZ) POLICY

Article 32 of the Customs Union Protocol provides that the Council may, from time to time, approve the establishment of other special economic arrangements for purposes of the development of the economies of the Partner States. Pursuant to this Article, the Council could consider the expansion of the scope of Economic arrangements for purposes of enhancing development of the Partner States economies.

The EAC has developed a Special Economic Zones Policy which provides for a wide variety of economic zones schemes. The objective of the Policy is to provide for establishment and development of competitive SEZs. The Policy provides for a wide variety of economic zones schemes including: Export Processing Zones; Free Zones; Free Trade Zone (FTZ); Freeport; Industrial Park; Agricultural Zone; Educational Zone; Financial Services Zone; ICT Park; Regional Headquarters Zone; Science and Technology Zone; Tourism and Recreational Zone; Business Service Park;

Convention and Conference Zone and Livestock Zones.

The Session was informed that the Council has through the East African Community Customs Management (Amendment) Bill already approved amendments to Sections 167 – 170 of the EAC Customs Management Act to provide for additional schemes under Part XIV of the Act.

The 41st Meeting of the Sectoral Council on Trade, Industry, Finance and Investment held on 2nd December 2022:

- (a) adopted the revised draft Special Economic Zones Policy (EAC/SCTIFI 41/ Decision 27);*
- (b) recommended to Council to approve establishment of other economic schemes as provided for in the Special Economic Zones Policy and in accordance with the provisions of Article 32 of the EAC Customs Union Protocol (EAC/SCTIFI 41/ Directive 55);*
- (c) directed the EAC Secretariat to develop draft regulations for the additional schemes provided for in the SEZ Policy by 30th April, 2023 (EAC/SCTIFI 41/ Directive 56); and*
- (d) directed the EAC Secretariat to convene Experts meetings to consider the draft regulations for the implementation of the SEZ Policy by 31st May, 2023 (EAC/SCTIFI 41/ Directive 57).*

The EAC SEZ Policy is hereto attached as **Annex XXIII**.

The Council:

- (a) considered and approved the EAC Special Economic Zones Policy (EAC/CM 43/ Decision 16);**
- (b) approved the establishment of other economic schemes as provided for in the Special Economic Zones Policy in accordance with the provisions of Article 32 of the EAC Customs Union Protocol (EAC/CM 43/ Decision 17); and**
- (c) directed the EAC Secretariat to develop draft regulations for the other schemes provided for in the Special Economic Zones Policy by 30th April, 2023 (EAC/CM 43/ Directive 30).**

5.2.6. TRADE IN SERVICES

EAC Strategy for Trade in Services

The EAC has developed an EAC Trade in Services Strategy. The main objective of the Strategy is to enhance service sector integration in the EAC region and increase intra-EAC trade in services and exports of services to the continent and the world.

The 41st Meeting of the Sectoral Council on Trade, Industry, Finance and Investment held on 2nd December 2022:

- (a) *adopted the EAC Trade in Services Strategy (EAC/SCTIFI 41/ Decision 24); and*
- (b) *directed the Secretariat to mobilize resources to support Partner States that are yet to develop their National Strategies on Trade in Services (EAC/SCTIFI 41/ Directive 47).*

The EAC Trade in Services Strategy is hereto attached as **Annex XXIV**.

The Council:

- (a) approved the EAC Trade in Services Strategy (EAC/CM 43/ Decision 18); and**
- (b) directed the Secretariat to mobilize resources to support Partner States that are yet to develop their National Strategies on Trade in Services (EAC/CM 43/ Directive 31).**

5.2.7. Operationalization of the EAC Mechanism on the Removal of Restrictions on Trade in Services

The Session was informed that on 30th May 2019, the SCTIFI adopted a Mechanism for the Removal of Restrictions on Trade in Services which will be used to keep track of measures restricting market access and operations of other Partner States' service suppliers and to monitor the removal of non-conforming measures (for committed sectors).

The Mechanism will rely on information being collected mainly through diagnostic studies and regulatory audits. To oversee and facilitate the implementation of the Mechanism, National Focal Points for Trade in Services were appointed and National Trade in Services Committees (NTSC) were established in each Partner State. The NTSC feeds into the Regional Committee on Trade in Services (RCTS), whose role includes considering the reports of the NTSCs, as well as submitting periodic reports and recommendations to SCTIFI on the removal of restrictions on trade in services.

The Secretariat with the support from GiZ and EU, undertook regulatory audits on professional services (engineering, architectural, accountancy and legal), insurance services, tourism services, telecommunication services, and distribution services.

The data/measures from these audits were captured in an excel template format, reviewed, updated and validated by the NTSCs and RCTS during meetings held on various dates from May to November 2022.

At its 41st Meeting held on 2nd December 2022, the SCTIFI observed that under the EAC Common Market Protocol, Partner States in their respective Schedules of

Commitments, had committed to remove the restrictions on the committed services sectors and subsectors by 2015. However, Partner States have not implemented their commitments and some restrictions are still existing in the committed sectors/ subsectors. The SCTIFI agreed that Partner States should remove the restrictions on trade in services in the committed sectors / sub sectors within a period of 5 years from the time a decision will be made by the Council of Ministers.

In this regard, the SCTIFI:

- (c) *adopted the revised Excel Template of the EAC Mechanism on the Removal of Restrictions on Trade in Services (EAC/SCTIFI 41/ Decision 25)*
- (d) *directed Partner States to remove restrictions in committed sub sectors within 5 years (from December 2022 to December 2027) (EAC/SCTIFI 41/ Directive 44)*

The revised EAC Mechanism on the Removal of Restrictions on Trade in Services is hereto attached as **Annex XXV**.

The Council:

- (a) approved the EAC Mechanism on the Removal of Restrictions on Trade in Services (EAC/CM 43/ Decision 19); and**
- (b) directed the Partner States to remove restrictions in committed sub-sectors within 5 years (from February 2023 to February 2028) (EAC/CM 43/ Directive 32).**

5.3.2. Roadmap for the Republic of South Sudan on the Development of its Schedule of Commitments on Trade in Services for the EAC

During the meeting of the National Trade in Services Committee (NTSC) of the Republic of South Sudan held on 10th – 11th October 2022, the NTSC developed a roadmap on preparation of RSS Schedule of Commitments on Trade in Services for the EAC.

Subsequently, the Republic of South Sudan presented its Roadmap to the Regional Committee on Trade in Services held on 31st October to 2nd November 2022, and to the SCTIFI on 2nd December 2022, as per table below:

Table 12: Roadmap for the Republic of South Sudan on the Development of its Schedule of Commitments on Trade in Services for the EAC

No.	ACTIVITIES	TIME FRAME	COMMENT	BUDGET (USD)
1	Develop training manual/tools on Trade in Services to facilitate training for the RSS	Early 2023	Training workshop manual/ tools/materials	10,000
2	Sectoral studies focusing on the priority sectors	3 months	By each sector	60,000

No.	ACTIVITIES	TIME FRAME	COMMENT	BUDGET (USD)
3	National Committee meetings to discuss the findings of the studies	Monthly	The committee will be meeting the consultant to discuss and validate the findings	50,000
4	Training for the NCTiS on Scheduling of commitments	1 month	The training will be conducted concurrently with the actual scheduling of commitments	45,000
5	Scheduling of commitments (sectoral meetings to be held)	1 month	Every sector would meet for 2 days	
6	Internal validation of the draft Schedule of commitments	1 week meeting	A validation workshop for all sectors	25,000
7	Submission to the EAC Secretariat	By mid-August 2023		-
8	Feedback from the EAC Secretariat	1 month	Verifying the schedule	-
9	Submission to the Regional Committee on Trade in Services and to SCTIFI	By end of November 2023	Consideration and adoption of RSS's Schedule of Commitments	-
TOTAL:				190,000

The EAC GiZ programme has committed to supporting implementation of the above Roadmap through indirect funding under the EAC GIZ SEAMPEC II Project. This project has three outputs, namely:

Output 1: Trade in goods, both at regional and at continental level;

Output 2: Trade in Services, also both at regional and continental level;

Output 3: Strengthening the procedural capacity of the EAC Secretariat for the implementation of the 6th EAC Development Strategy

The SCTIFI:

(a) approved the roadmap for the development of South Sudan's Schedule of Commitments on Trade in Services for the EAC (EAC/SCTIFI 41/ Decision 26)

(b) directed the Secretariat to mobilize resources to support the Republic of South Sudan to implement the roadmap for the development of its Schedule of Commitments on Trade in Services for the EAC (EAC/SCTIFI 41/ Directive 45)

The Session was informed that GIZ has committed to support the implementation of the Roadmap.

The Council approved the Roadmap for the Development of South Sudan's Schedule of Commitments on Trade in Services for the EAC (EAC/CM 43/ Decision 20).

5.4. DECLARATION OF EAST AFRICAN STANDARDS (EAS)

The Sectoral Council on Trade, Industry, Finance and Administration (SCTIFI) during their 41st Meeting held from 28th November to 2nd December 2022, declared as EAS, Forty (40) standards that had undergone a due process of harmonization as approved by the EASC.

SCTIFI further endorsed for adoption by the Partner States, four (4) international standards.

The declared standards were on the most traded goods in the region covering the following key sectors;

- 1) EASC/TC 002, Coffee, cocoa and related products (4 EAS)
- 2) EASC/TC 012, Seed and propagation materials (1 EAS)
- 3) EASC/TC 018, Nutrition and Foods for Special Dietary Uses (3 EAS)
- 4) EASC/TC 022 Wood, Timber and their products (6 EAS)
- 5) EASC/TC 025, Processed fruits, vegetable and tubers (3 EAS)
- 6) EASC/TC 035, Steel and Steel Products (2 EAS)
- 7) EASC/TC 061, Textiles, textile products and accessories (5 EAS)
- 8) EASC/TC 071, Cosmetics and related products (12 EAS)

The Forty standards are scheduled for gazettelement in February 2023 to facilitate their adoption within the six months as per the provisions of the SQMT Act 2006.

The list of Standards is attached hereto as **Annex XXVI**.

The Council:

- (a) Declared the Forty standards as East African Standards (EAC/CM 43/ Decision 20A); and
- (b) directed Partner States to adopt and implement the East African standards (EAC/CM 43/ Directive 33).

PART VI – REPORT ON FINANCE MATTERS

6.1 REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

6.1.1 Status of Partner States Contributions

The status of Partner States' contribution as at 13th February, 2023 is as reflected below:

Table F1A: Status of Contributions by Partner States towards the EAC Main Budget (EAC Secretariat, EALA, EACJ, LVBC, EAKC, EASTECO, EAHRC & EACA) - amounts in USD

PARTNER STATE	ARREARS	CONTRIBUTIO N DUE 2022/2023	CONTRIBUTION PAID 2022/2023		TOTAL OUTSTANDIN G
1. Republic of Burundi ⁽¹⁾	5,067,447	7,352,124	856,912	12%	11,562,659
2. Republic of Kenya	-	7,352,124	7,352,104	100%	20
3. Republic of Rwanda	-	7,352,124	3,674,867	50%	3,677,257
4. Republic of South Sudan ⁽²⁾	22,064,510	7,352,124	-	0%	29,416,634
5. United Republic of Tanzania	-	7,352,124	7,350,209	100%	1,915
6. Republic of Uganda	-	7,352,124	5,527,751	75%	1,824,373
Total	27,131,957	44,112,744	24,761,842	56%	46,482,858

(1) From July 2022 to September 2022, the Republic of Burundi paid USD 2,431,869.3 of which arrears were sent to General Reserve bank Account and to Organs/Institutions for respectively USD 972,747.72(40%) and contribution for FY'2021/22 transferred to Organs and Institutions USD 1,459,121.58 (60%).

(2) On 29th August 2022, the Republic of South Soudan paid USD 14,999,961 of which USD12,296,678 were sent to EAC General Reserve, IUCEA arrears fund and CASSOA Reserves, and USD 2,703,283 to Organs/Institutions for as budgetary contribution in the process of closing FY'2021/22.

Table:F1B. Inter University Council of East Africa (IUCEA)

(a) Partner State	Arrears as at 1st July 2022	Contribution Due FY 2022/2023	Contribution Paid 2022/2023		Total Outstandin g
Republic of Burundi	6,382,127	644,223	514,254	80%	6,512,096
Republic of Kenya	(1,925)	644, 223	644,194	100%	(1,900)
Republic of Rwanda (a)	3,395,153	644, 223	644,148	100%	3,395,224
Republic of South Sudan	2,819,828	644, 223	-	0%	3,464,047
United Republic of Tanzania	761	644, 223	642,945	100%	2,035
Republic of Uganda	4,223	644, 223	447,919	70%	196,300
Total	12,600,167	3,865,314	2,893,460	75%	13,572,017

(b) The Republic of Rwanda: the amount disbursed to IUCEA in September, 2022 was the contribution for the current financial year and should be recorded as

such. The subsequent disbursement from October, 2022 until 30th June, 2023 will be recorded as settlement of arrears.

Table:F1C. Lake Victoria Fisheries Organisation (LVFO)

PARTNER STATE	ARREARS USD	CONTRIBUTI ONS DUE 2022/23 USD	CONTRIBUTION PAID 2022/23 USD		TOTAL OUTSTANDI NG USD
1. Republic of Burundi	500,904	465,500	140,724	30%	825,679
2. Republic of Kenya	6	465,500	465,494	100%	12
3. United Republic of Tanzania	31	465,500	464,957	100%	574
4. Republic of Uganda	0	465,500	356,461	77%	109,039
Total	500,940	1,862,000	1,427,636	77%	935,304

Table:F1D. Civil Aviation Safety and Security Agency (CASSOA)

Partner State	Arrears	Contribution Due FY 2022/23	Contributions Paid FY2022/23		Total Outstanding
1. Republic of Burundi	96,830	448,793	-	0%	545,623
2. Republic of Kenya		448,793	448,793	100%	0
3. Republic of Rwanda		448,793	448,793	100%	0
4. United Republic of Tanzania		448,793	316,195	70%	132,598
5. Republic of Uganda		448,793	336,595	75%	112,198
6. Republic of South Sudan	1,234,802	448,793	-	0%	1,683,595
Total	1,331,632	2,692,758	1,550,576	58%	2,474,014

DRC has confirmed receipt from the Secretariat of the demand note for the budgetary contribution for financial year 2022/2023 and is processing the contribution.

The Council directed Partner States to disburse the contribution for the FY'2022/2023 and arrears as applicable, in order to facilitate the timely execution of the approved budget in accordance with the EAC Financial Rules and Regulations (2012) (EAC/CM 43/ Directive 34).

6.1.2 Status of Reserves for EAC Organs and Institutions

Request for Retrospective Approval of Borrowing from General Reserve

a) Payment of Salaries for July 2022

The Council will be informed that at the beginning of the Financial Year 2022/2023, Partner States were yet to disburse their contributions for the new Financial Year 2022/2023. On the other hand, payment of salaries and allowances for the month of July 2022 was due on the 24th day of the month as per the EAC Staff Rules and Regulations (2006).

Vide his letter referenced SGN/3/1, dated 27th July 2022, the Secretary General sought no objection from Partner States through the Chairperson of the Council of Ministers with a copy to all the Partner States that an amount of USD2,286,771 be borrowed from the Reserve pursuant to Regulation 32 (3) of EAC Financial Rules and Regulations (2012), allocated as follows:

Table F1E:

EAC Organ/Institution:	EAC Secretariat	EACJ	EALA	EASTECO	Total amount in USD
Salaries July 2022, Education allowance, spouse allowance, Group Medical cover, Group life cover for staff for the FY'2022/2023	1,278,311	396,232	510,284	101,094	2,286,771

The Council retrospectively, approved the borrowing of USD 2,286,771 from the General Reserve to facilitate payment of Salaries July 2022, Education allowance, Spouse allowance, Group Medical cover, Group life cover for staff for the FY'2022/2023 for EAC Secretariat, EACJ, EALA and EASTECO (EAC/CM 43/ Decision 21).

b) Payment of August 2022 Salaries.

The Council will be informed that at the beginning of the Financial Year 2022/2023, Partner States were yet to disburse their contributions for the new Financial Year 2022/2023. On the other hand, payment of salaries and allowances for the month of August 2022 was due on the 24th day of the month as per the EAC Staff Rules and Regulations (2006).

Vide his letter SGN/3/1 of dated 25th August 2022, the Secretary General informed the Chairperson of the Council of Ministers and copied all the Partner States that an amount of USD1,200,569 was to be borrowed from the Reserve pursuant to Regulation 32 (3) of EAC Financial Rules and Regulations (2012), allocated as follows:

Table F2:

EAC Organ/Institution:	EAC Secretariat	EALA	EACJ	EASTECO	Total amount in USD
Salaries and Allowances payable in August 2022	588,700	451,432	119,461	40,976	1,200,569

The Council to retrospectively approved the borrowing of USD 1,200,569 from the General Reserve used to facilitate payment of salaries and statutory allowances for August 2022 for EAC Secretariat, EALA, EACJ and EASTECO (EAC/CM 43/ Decision 22).

6.1.3 Status of the EAC General Reserve Account

a) General Reserve maintained by the East African Community Secretariat

The status of the General Reserve Fund maintained by the EAC Secretariat had improved as reflected in the table below.

Table F3: Movements on the EAC Reserve account from 4th April, 2022 to 22nd February, 2023

#	Description	Money in (+) USD	Money out (-) USD	Running balance (USD)
0	4th April 2022 Balance as reported to the 47th Extraordinary meeting of Council			4,653,009
1	Costs awarded to Hon. Zziwa <i>EAC/EXCM 47/Directive 12</i>		586,262	4,066,747
2	Damages awarded to Mr. Ponventra Anjimbi <i>EAC/CM/40/Decision 65).</i>		10,000	4,056,747
3	Transfer to operations account approved by Council to facilitate Recruitment process and review of staff rules & Regulations		384,300	3,672,447
4	Transfer to EAC General Reserve as unutilized funds from EAKC	500,000		4,172,447
5	Borrowings to facilitate payments of salaries and other allowances May 2022 EALA 1,356,206; EACJ \$423,383; EASTECO \$60,000: <i>EAC/CM42/Decision41.</i>		1,839,589	2,332,858
6	Transfer to EAC General Reserve Arrears from Burundi (FY 20/21)	1,449,681		3,782,539
7	Transfer to EAC General Reserve by LVBC - Arrears paid by Uganda	125,220		3,907,758

#	Description	Money in (+) USD	Money out (-) USD	Running balance (USD)
8	Transfer to LVBC for Construction of the Headquarters - Extra Ordinary meeting of the Council of minister's approval, Ref. EAC/EXCM/47/2022 dated 6th April 2022. Decision 08		950,000	2,957,758
9	Transfer to EAC General Reserve, EACA's unutilised funds	230,000		3,187,758
10	Transfer to operations account as approved by Council to fund FY22/23 budget [EAC/EXCM 47/Directive 14]		220,500	2,967,258
11	Borrowings EACS \$1,278,311; EACJ \$396,232; EALA \$510,284; EASTECO \$101,944 pay salaries for July 2022 and other allowances		2,286,771	680,487
12	Transfer to EAC General Reserve Arrears from Burundi (FY 20/21)	778,214		1,458,702
13	Transfer to EAC General Reserve Arrears from Burundi (FY 20/21)	194,534		1,653,235
14	Amount borrowed from the EAC General Reserve to EACS \$588,700; EACJ \$119,461; EALA \$451,432; EASTECO \$40,976 to pay Salaries and Allowances due by 24th August 2022.		1,200,569	452,666
15	Transfer to EAC General Reserve as refund of borrowings drawn from 1st July 2021 to 30th June 2022	4,258,475		4,711,142
16	Transfer to EAC General Reserve as unutilized funds for FY 2021/2022 from South Sudan	1,007,346		5,718,487
17	Transfer to EAC General Reserve Arrears from South Sudan	5,723,208		11,441,695
18	Transfer from General Reserve to EALA Members as directed by Council of Ministers. Ref EAC/CM42/Decisions 58.		2,317,850	9,123,845
19	Transfer from General Reserve to EACJ for Judges as directed by Council of Ministers. Ref EAC/CM42/Decisions 61.		75,150	9,048,695
20	Transfer to EAC General Reserve arrears from Uganda (FY 2020/2021) – Reference EAC/EX CM/41/ 2020/ Directive 12	18,560.25		9,067,255.25
20	Interest net of charges	33,456		9,100,711.58

#	Description	Money in (+) USD	Money out (-) USD	Running balance (USD)
21	Balance as at 22 nd February, 2023			9,100,711.58

b) General Reserve maintained by IUCEA

Table F4: Status of General Reserve of Inter University Council of East Africa (IUCEA) as of 22nd February 2023 in USD

Period	Description	Money (+), USD	Money (-), USD	BANK Balance (USD)
31/01/2022	Balance as at 31/01/2022			2,187,408.16
03/02/2022	Transfer of AESAU to IUCEA Reserve Account	67,934.00		2,255,342.16
01/04/2022	Bank Charges		8.0	2,255,334.16
01/04/2022	Government Excise Duty		1.2	2,255,332.96
05/04/2022	Investment in 12 Month FDR in Bank of Baroda at 3.5%		2,200,000.00	55,332.96
27/06/2022	Contribution from Republic of Uganda to arrears funds	210,489		265,821.96
03/08/2022	Bank Charges		6.26	265,815.70
16/08/2022	Contribution from the Republic of Burundi to arrears funds	486,510.72		752,326.42
06/09/2022	Maturity of 12-month FDR investment I Equity Bank Uganda Limited	3,096,953.13		3,849,279.55
06/09/2022	Maturity of 12month FDR investment in KCB Bank Uganda Limited	3,622,643.00		7,471,922.55
27/09/2022	Contribution from the Republic of South Sudan to arrears fund	713,372.74		8,185,295.29
22/02/2023	Closing Balance on Arrears Account			8,185,295.29

Table F5: Status of Lake Victoria Basin Commission Reserve as at 22nd February, 2023

Description	Money In (+)	Money Out (-)	Bank Balance (USD)
Bank balance on 25th Feb 2022 as reported to 47th Extra Ord Council			109,166.08
Borrowing for salaries paid back	75,720.00		
Reserve Balance as at February 22 nd , 2023			184,886.08

Table F6: Status of CASSOA Reserve

Description	Money In (+)	Money Out (-)	Bank Balance (USD)
Bank balance on 25th Feb 2022			333,925.75
Arrears from Burundi	100,000		
Arrears from South Sudan	774,261		
Bank interest	3,761.25		
Reserve Balance as at February, 22 nd 2023			1,211,947.89

The Council took note of the status of the EAC General Reserve as of 22nd February, 2023.

6.1.4 Analysis of outstanding borrowings from the EAC General Reserve Fund

The 47th Extra-Ordinary meeting of the Council of Ministers directed the Secretariat to undertake an analysis of the outstanding sums borrowed from the EAC General Reserve Fund and report to the 43rd Meeting of the Council **[EAC/EXCM 47/Directive 08]**.

The analysis reflected in the table below is based on the following Council decisions/directives:

(a) directed the EAC Organs and Institutions to always deposit contributions and arrears for the preceding financial year received after September in the General Reserve Fund as per the EAC Financial Rules and Regulations, 2012 (EAC/EX-CM/41/Directive 07).

The implication of the above directive is that all arrears to be disbursed by Partner States from 1st October onward shall be transferred to the EAC General Reserve account, whether or not an Organ/Institutions has any outstanding borrowed sum.

(b) directed the EAC Secretariat to ensure that any funds borrowed from the General Reserve Fund are replenished after all statutory payments are met. (EAC/EXCM 47/Directive 06).

The implication of the above directive is that Funds disbursed to fund the running financial year's budget can only be used to refund sums borrowed from the Reserve when there are sufficient funds on operating accounts to facilitate execution of the activities and statutory expenditure.

Table F7: Analysis of the outstanding borrowings from the EAC General Reserve Fund

Orga n/ Instit ution	Description	(A) Amount borrowe d in USD	(B) Amount refunded on 1 st September 2022 in USD	(C) Possibility to refund from FY22/23 disburseme nts	(D)= (A)- (B)-(C) Amount refunded when arrears transferr ed to Reserve s
SEC	Borrowed on 26/8/2020	270,000			
	Borrowed in July 2021	1,383,000			
	Borrowed in March 2022	450,000			
	Refunded on 31st August 2022 when RSS paid		1,833,000		
	Borrowed in July 2022 to Pay Salaries and Allowances	1,278,311		1,278,311	
	Borrowed in August 2022 to Pay Salaries and Allowances	588,700		588,700	
	Sub Total Secretariat	3,970,011	1,833,000	1,867,011	270,000
EALA	Borrowed on 25th Jul 2018,	267,988			
	Borrowed on 15th February 2019;	600,000			
	Borrowed on 14th May 2019;	200,000			
	Borrowed on 22/4/20	282,240			
	Borrowed on 24/7/2020	82,015			
	Borrowed on 28/7/2020	449,655			
	Borrowed on 26/8/2020	451,332			
	Borrowed on 01/12/2020	368,485			
	Borrowed on 22/6/2021	793,430			
	Borrowed in July 2021	753,000			

Orga n/ Instit ution	Description	(A) Amount borrowe d in USD	(B) Amount refunded on 1 st September 2022 in USD	(C) Possibility to refund from FY22/23 disburseme nts	(D)= (A)- (B)-(C) Amount refunded when arrears transferr ed to Reserve s
	Borrowed in March 2022	492,831			
	Borrowed in May 2022	1,356,208			
	Refunded on 31st August 2022 when RSS paid		1,822,108		
	Borrowed in July 2022 to Pay Salaries and Allowances	510,284		510,284	
	Borrowed in August 2022 to Pay Salaries and Allowances	451,461		451,461	
	Sub Total EALA	7,058,929	1,822,108	961,745	4,275,077
EACJ	Borrowed on 28/7/2020	50,354			
	Borrowed on 26/8/2020	100,000			
	Borrowed in July 2021	292,593			
	Borrowed in March 2022	179,525			
	Borrowed in May 2022	423,383			
	Refunded on 31st August 2022 when RSS paid		423,368		
	Borrowed in July 2022 to Pay Salaries and Allowances	396,232		396,232	
	Borrowed in August 2022 to Pay Salaries and Allowances	119,461		119,461	
	Sub Total EACJ	1,561,548	423,368	515,693	622,487
EAST ECO	Borrowed on 28/7/2020	120,000			
	Borrowed in May 2022	60,000			
	Refunded on 31st August 2022 when RSS paid		180,000		
	Borrowed in July 2022 to Pay Salaries and Allowances	101,094		101,094	

Orga n/ Instit ution	Description	(A) Amount borrowe d in USD	(B) Amount refunded on 1 st September 2022 in USD	(C) Possibility to refund from FY22/23 disburseme nts	(D)= (A)- (B)-(C) Amount refunded when arrears transferr ed to Reserve s
	Borrowed in August 2022 to Pay Salaries and Allowances	40,976		40,976	
	Sub Total EASTECO	322,070	180,000	142,070	-
TOTAL					5,167,564

The Council will be informed that in line with **(EAC/EX-CM/41/Directive 07)**, the Secretariat has been transferring to the General Reserve Account all funds paid to offset arrears by Partner States, whether or not an Organ or Institution has an outstanding sum borrowed (ref Table F3A lines 6,12, and 13, Report of the 47th Meeting of the Council, Table F3A lines 2 &10 (page 9) of the Report of the 47th Extraordinary meeting of Council, Table F2 line 1 (page 110) of the Report of the 41st Ordinary meeting of the Council, etc.

As such, the figures in column D above (USD270,000 for Secretariat, USD4,275,077 for EALA and USD 622,487 for EACJ) have been already refunded.

The Council:

- (a) took note that the USD270,000 for Secretariat, USD4,275,077 for EALA and USD 622,487 for EACJ were refunded as part of the transfers to the General Reserve Account for arrears paid; and
- (b) directed the Secretariat to recover from FY'2022/2023 disbursements and refund to the General Reserve the amounts borrowed by Secretariat (USD 1,867,011), EALA (USD 961,745); EACJ (USD 515,693) and EASTECO (USD 142,070) for staff salaries and allowances for July and August, 2022 in compliance with EAC/EXCM 47/Directive 06(EAC/CM 43/ Directive 35).

6.1.5 Report on Investments in Fixed Deposits as at 22nd February, 2023

a) Status of Investment in Fixed Deposits for EAC Secretariat

The status of the Fixed Deposits for the EAC Secretariat is reflected in the **Table F8a** below.

Institution invested in	Amount Invested in USD	Date of Security Issue	Date of Security Expiry	Interest Rate (%)	Interest to be Earned in USD
KCB Bank (Tanzania) Ltd	3,000,000	5 th Dec, 2022	5 th Dec 2023	5.9%	177,000
Total					177,000

b) Status of Investment in Fixed Deposits for Lake Victoria Fisheries Organisation

The status of the Fixed Deposits for the Lake Victoria Fisheries Organisation is reflected in the **Table F8b** below.

	Bank	Account Name	Amount (USD)	Interest		Maturity Date
				%	Amount (USD)	
1	Bank of Baroda (U) Ltd.	Staff Gratuity	133,989.47	4.5%	6,029.53	01 st Feb 2024
2	Bank of Baroda (U) Ltd.	Operation Save the Nile Perch	1,077,583.48	3.56%	38,361.97	20 th April 2023
3	Bank of Baroda (U) Ltd.	Operation Save the Nile Perch	748,089.54	3.75	28,053.36	14 th August 2023
4	Bank of Baroda (U) Ltd.	Reserve account	1,111,029.51	3.75%	41,663.61	14 th August 2023
5	Housing Finance Bank	Staff Gratuity	262,905.00	N/A	N/A	Retired for settlement to staff gratuity
	Totals		3,333,597.00		114,108.47	

The Council was informed that:

a) the other offers were as follows:

- (i) Housing Finance Bank (U) Limited 2.55%;
- (ii) Standard Chartered Bank (U) Limited advised other options, i.e., Treasury Bills, Bonds & off shore investments;
- (iii) Stanbic Bank of Uganda Limited; and I&M Bank – No Response.

b) As of 20th September 2022, the LVFO held an equivalent of US\$ 524,116.07 as cash reserves in the operational account.

c) Status of Investment in Fixed Deposits for Inter University Council of East Africa

The status of the Fixed Deposits for the **Inter-University Counsel of East Africa**, is reflected in the tables below.

Table F9: Status of Investment of Arrears Fund at IUCEA as of 22nd February, 2023

Institution invested in	Amount Invested in USD	Date of Security Issue	Date of Security Expiry	Interest Rate (%)	Interest to be Earned in USD
Bank of Baroda	2,200,000	05/04/2022	05/04/2023	3.51%	77,220.00
Bank of Baroda	3,500,000	05/11/2022	05/11/2023	5.75%	201,250.00
Housing Finance Bank	3,500,000	05/11/2022	05/11/2023	5.5%	192,500.00
Total	9,200,000				470,970.00

The Council was informed that proposals of Banks that responded to the call were as follows:

- (i) Bank of Baroda 3.51%
- (ii) Equity Bank 3.00%
- (iii) Housing Finance Bank 3.00%
- (iv) DFCU Bank 3.00%
- (v) Bank of Africa 2.50%
- (vi) KCB Uganda 2.00%
- (vii) Stanbic Bank 0.40%

Table F10: Status of Investment of IUCEA Staff Gratuity Funds as of 22nd February, 2023

Institution invested in	Amount Invested in USD	Date of Security Issue	Date of Security Expiry	Interest Rate (%)	Interest to be Earned in USD
ICEA	629,073.89	01/07/2022	30/06/2023	3.5	21,877

The Council was informed that the other offers had been as follows: Insurance Company of East Africa – 3.5%. While bids from Jubilee Life Insurance and Housing Finance Bank Ltd were non responsive.

Table F11: Status of Investments in Fixed deposits for Lake Victoria Basin Commission

Institution Invested In	Amount Invested	Date of Security	Date of Security expiry	Interest rate	Interest to be earned in USD
KCB(T)	315,000.00	27 th Jan, 2023	26 th Jan 2024	5.5%	17,325
KCB(T)	950,000	27 th Jan, 2023	26 th May, 2023	5.5%	17,035

The Council was informed that the other offers were as follows:

- (i) Fixed deposit was placed on a 3 months interim tenure as LVBC awaits appointment of Investment Committee member from EAC - Secretariat as per Council directive;
- (ii) Proposed Offers from other Banks: Stanbic 0.4%; EcoBank 2.00%; KCB Kenya 0.81% and NCBA did not respond.

Table F12: Status of Investments in Fixed deposits for EASTECO.

Bank Invested In	Amount Invested within	Interest Rate	Period Earned	Interest (Net of Withholding Tax) USD
	Period was at the range of			
	(USD)			
KCB Rwanda	161,668 - 167,821	5%	Jan-Mar, 2023	8,083

Note: Commission negotiated rate with hosts of the Staff Gratuity Bank Account.

Table F13: Status of Investment in Fixed Deposits for the East African Health Research Commission

EAHRC Investment in Fixed Deposit					
Institution where funds are invested	Amount Invested USD	Date of Security Issue	Expiry Date	Interest Rate (%)	Interest (USD)
KCB Tanzania Ltd	428,459.06	12-Oct-22	12-Apr-23	5.0	10,830.49
KCB Tanzania Ltd	100,000.00	13-Apr-22	13-Apr-23	5.50	5,018.75
BancABC Ltd	157,285.64	4-Apr-22	4-Apr-23	4.70	6,745.59
Total	685,744.70				22,594.83

N.B The Offers from other Banks were as follows: BancABC (T) Ltd 4.20% - 4.70%; CRDB Bank (B) Plc 4.00%; KCB (T) Ltd 5.5% and NBC Bank (T) Ltd 1.50% - 2.00%

The Council took note of the status of the investment in fixed deposits of the EAC Organs and Institutions as at 22nd February, 2023.

6.1.6 Request to close EAC Local Currency Bank Accounts within the EAC Partner States

The EAC Secretariat has been holding local currency bank accounts in the Partner States to aid the local supplier payments in their local currencies. These accounts were opened to facilitate payment of local suppliers for goods/services consumed whenever there would be activities of the Community in the respective Partner States in which these bank accounts are hosted.

In order to reduce costs related to making payments for goods/services consumed in various remote locations in the Partner States, overtime EAC has negotiated favourable rates/charges and exchange rates for funds transferred to various Partner States, rendering these bank accounts inactive.

EAC also clarifies that, specifically for Standard Chartered, the bank has written to the EAC showing its intention to close all banks.

It is against this background that EAC Secretariat, in compliance to the EAC Financial Rules and Regulations, 2012, is seeking approval to close these accounts as they dormant and are attracting unnecessary monthly bank charges.

Below is the summary of the Accounts which need to be closed:

Table F14: Summary of the Local Currency EAC Accounts proposed for Closure

NO	BANK	ACCOUNT NO	CURRENCY	BALANCE
1	STANDARD CHARTERED BANK(U) LTD	0105612114800	UGX	6,413,243.00
2	STANDARD CHARTERED BANK(K) LTD	0108096090300	KES	948,816.55
3	ECOBANK BURUNDI	1101-01548701-37	B/F	1,019,169.00
4	KCB RWANDA	4400266915	RWF	2,811,930.00

The Council was informed that Standard Chartered Uganda and Kenya have informed Secretariat of the Bank's intention to close operations of the Bank. The Council will also be informed that in considering the matter, the Finance and Administration Committee had observed that the Community conducts a number of activities in Burundi and Rwanda and had recommended that the Secretariat maintains the two accounts in the two Partner States and utilises the money on the said accounts to cater for local expenses.

The Council considered and approved the closure of the local currency bank accounts at Standard Chartered Uganda Limited and Standard Chartered Kenya Limited and transfer the balance to the EAC General Reserve Account (EAC/CM 43/ Directive 36).

6.1.7 Development of a Public Finance Management and Administration legislation for East African Community Organs and Institutions

The Council recalled that its 41st, Meeting it had directed the Secretariat to prepare a comprehensive concept paper justifying the development of a Public Finance Management and Administration Legislation for the Organs and Institutions of the Community, which includes the scope of work and terms of reference (TORs) and

.

submit it to the 42nd Meeting of Council of Ministers for consideration.
(EAC/CM41/Directive44)

The Council was informed that the Secretariat developed the Concept Note and TORs which had been referred to the Finance and Administration Committee for scrutiny pursuant to a Decision of the 42nd Council (EAC/CM 42/decision 42). The Council will further be informed that the Finance and Administration Committee considered the Concept Note and the ToRs and observed that there was need for Partner States to be granted more time to finalise internal processes on the proposed bill.

The Council:

- a) directed the Secretariat to prepare a comprehensive paper as a justification for the proposed Public Finance Management and Administration Legislation for the Organs and Institutions of the Community legislation and share with Partner States by end of March, 2023(EAC/CM 43/ Directive 37); and
- b) directed Partner States to conduct and finalize internal consultations concerning the proposed Public Finance Management and Administration Legislation for the Organs and Institutions of the Community by Partner States and report to the 44th Council of Ministers (EAC/CM 43/ Directive 38).

6.1.8 Status of disbursement of support from Development Partners

The Budget of the EAC Organs and Institutions for the FY 2022/2023 is funded by both Partner States Contribution and Development Partners. As at 22nd February, 2023 the status of disbursements of support from Development Partners stood as indicated below.

Table F15: Disbursement of support from Development Partners to the EAC Secretariat

Project Code	Project Name	Budgeted Amount for the FY 2022/2023 (USD)	Funds Received for FY 2022/2023 (USD)	% Received	Reason for Level of Disbursement
AD11	African Development Bank COVID Response	365,600.00	365,600.00	100%	N/A
AU06	APSA IV African Peace	1,861,438.00	969,919.02	52%	APSA financial year runs from January to

Project Code	Project Name	Budgeted Amount for the FY 2022/2023 (USD)	Funds Received for FY 2022/2023 (USD)	% Received	Reason for Level of Disbursement
	Support Architecture				December and we are awaiting approval of work plans by the steering committee for 2023
BM01	Bill and Melinda Gates Foundation	775,790.00	318,738.83	41%	A roll-over 1 Year Phase basically ended in December 2022. However, there's a planned Technical Proposal by EAC in Feb 2023 for submission to Development Partner {Bill & Melinda Gates Foundation – BMGF} for further funding extension.
EU12	Response to Regional Security Threats Project	1,034,716.40	-	0%	The programme Estimate for EU-12 have been changed from the initial approved P.E with individual Financial Commitment No. 2019/412-002 and awaiting approvals by the European Union Commission, hence disbursement cannot be honored until the new Programme Estimate is signed.
EU13	EU Core project	1,043,650.00	512,287.01	49%	The donor is awaiting a financial report detailing usage of at least 75% for them to make a disbursement but currently the project is at 3% usage by December 2022

Project Code	Project Name	Budgeted Amount for the FY 2022/2023 (USD)	Funds Received for FY 2022/2023 (USD)	% Received	Reason for Level of Disbursement
EU14	European Union - Institutional Strengthening (IS)	685,820.00	479,890.25	70%	Cash is released on imprest basis based on absorption level and presented accountability
GC01	Government of China-Budget Support Project	200,000.00	200,000.00	100%	N/A
KF02	EAC Regional Network of Reference Laboratories for	1,187,928.00	838,436.14	71%	N/A
KF04	EAC-Regional Network of Reference Laboratories for	955,643.80	262,687.59	27%	The disbursement is received once the project submits Semi Annual Audit Report. Thus, the next disbursement of funds is expected to be received after Semi-Annual Audit in which is ongoing.
SI02	EAC/SIDA INTEGRATED PROGRAMME FOR HEALTH	1,799,735.60	600,000.00	33%	The last disbursement is upon approval of external audit report & narrative report by the development partner for the financial year 2021/2022.
SW02	Swiss Embassy-Kenya election observation	47,984.00	39,000.00	81%	Initial disbursement covered all the activities. There will be no further disbursement
US01	Comprehensive Support to EAC Regional Integration	3,360,366.00	549,363.44	16%	Funds are released on Milestone Completion and Certification basis based on absorption level and presented accountability
WB09	EAC-Statistics Development and Harmonization Regional	7,109,537.00	2,543,542.00	36%	Funds is released on imprest basis based on absorption level and presented accountability
AD07	Support for Payment	3,330,440.00	1,236,791.00	37%	60% of the budget is for Procurement of Payment

Project Code	Project Name	Budgeted Amount for the FY 2022/2023 (USD)	Funds Received for FY 2022/2023 (USD)	% Received	Reason for Level of Disbursement
	Settlement Integration Project				System Infrastructure – These Procurements are at an advanced level and hope to be paid/disbursed before end of the Financial Year.
Total (USD)		23,758,648.80	8,916,255.28		37.55%

Inter-University Council of East Africa

Table F16: Status of Disbursements from Development Partners to IUCEA as of 22nd February, 2023

Project Code	Project Name	Budgeted amount FY 2022/2023	Fund received FY 2022/2023	% Received	Remarks
KF01	EAC Scholarship Programme (Leadership to foster Regional Integration)	1,582,042	933,218.26 EUR	58.9%	Disbursement Request sent to Donor
WB10	EASTRIP	1,986,832	1,000,000 USD	50.3%	Disbursement Request sent to Donor

Lake Victoria Fisheries Organisation

Table F17: Status of Disbursements from Development Partners

Project Code	Project Name	Budgeted Amount for the FY 2022/2023	Funds Received for FY 2022/2023	% Received	Remarks
ECOF	Contribution of Sustainable Fisheries to the Blue Economy of the Eastern Africa, Southern Africa, and Indian Ocean region – EEOFISH Programme	301,020	301,020	100%	Fully remitted
RFBC	Responsible Fisheries Business Chain (RFBC)	150,594.30	100,396.20	67%	Disbursement Request sent to Donor
EU	TRUE-FISH Programme: EU-EAC True-Fish Farming	248,500.00	198,800.00	80%	Disbursement Request sent to Donor

Project Code	Project Name	Budgeted Amount for the FY 2022/2023	Funds Received for FY 2022/2023	% Received	Remarks
	Story in Lake Victoria Basin				
IFAD	Promoting Sustainable Technologies and Marketing Strategies to increase Incomes and reduce food losses in small fish systems	500,000	500,000	100%	Fully remitted
	Totals	1,200,114.3	1,100,216.20	92%	

Lake Victoria Basin Commission

Table F18: Status of Support from Development Partners as of 22nd February, 2023

Project code	Project	Budgeted Amount	Funds Received for FY 2022/2023	Percentage received	
UN06	United Nations Environment Programme	1,198,240.00	785,646.91	66%	Awaiting Final Disbursement
IA10	International Institute for Applied Systems Analysis	341,907.00	17,953.95	5%	Project Ended. Awaiting Final Evaluation for upscaling
KF01	Integrated Water Resource Management	1,147,284.00	455,929.00	40%	Operations delayed because of HPI's Contractual issues
MC01	Maritime Communication & Transport Project	457,249.00	-	0%	Project undergoing restructuring
US06	USAID- RDOAG	614,624.00	12,450.00	2%	Awaiting restructuring of Project modality
NB01	LVBC - NCCR	461,580.00	79,482.00	17%	Disbursement process delayed
	Total	4,220,884.00	1,351,461.00	32%	

The Council:

- took note of the status of disbursements of the EAC Development Partners as of 22nd February, 2023; and
- directed the Secretariat to provide a report on status of implementation of all projects funded by development Partners and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 39).

6.1.9 Request to Change East African Court of Justice Bank Account

The Council will recall that at its 42nd Meeting, the Council referred the cost benefit analysis of the different bank charges on transaction as directed by the 41st Council meeting (**EAC/CM41/Decision70**) to Finance and Administration Committee for consideration (**EAC/CM/42/Decision 62**).

The resultant findings of the cost benefit analysis carried out by the East African court of justice are as indicated in the table below:

Table F19: Comparison of Charges on Account operations for different Banks in Arusha, Tanzania

S/N	SERVICES	CHARGES (USD)				
		STANDARD CHATERED	KCB	CRDB	NCBA	ABSA
1.	Monthly ledger fees	38.94	Free	12	10	26
2.	Opening Balance	Zero	Zero	Zero	1000	2,500
3.	Over the counter cash withdrawal	1% minimum 8	Free	1%	1% minimum 100	▪ 1% up to 10,000, ▪ 2% above 10,000
4.	Cheque clearance	Free	Free	Free		TZS 1,000 or equivalent
5.	Cheque book	1.77% of FCY below 50 leaves	Free	0.3 per leaf	▪ 30 leaves 15, ▪ 50 leaves 20, ▪ 100 leaves 30	▪ 25 leaves Tzs 15,000 or equivalent, ▪ 50 leaves Tzs 20,000 or equivalent, ▪ 100 leaves Tzs40,000 or equivalent, ▪ 200 leaves Tzs 80,000 or equivalent
6.	Bankers' cheque	1.18% of amount, ▪ minimum 59, ▪ maximum 236	Free	20	Free	35 each
7.	Incoming transfer	10 per transaction	Free	5	Free	12
8.	Outward transfer to any local bank	Tzs 10,000 equivalent	Free	4.5	10	Tzs 11,800 or equivalent
9.	Outward foreign transfer	0.3% minimum 50 maximum 150 and overseas charge 29.5	50	50	0.25% minimum 60, maximum 250	0.25% min, 60 max 295

From the above cost - benefit analysis, Kenya Commercial Bank, Tanzania has been found to offer the most competitive bank levies and as such, the EACJ wishes to

move its bank accounts from Standard Chartered Bank Tanzania Ltd to Kenya Commercial Bank Ltd.

The charges involved in banking transactions by the Court are much higher than those levied by other banks and are beyond the Court budget for bank charges as demonstrated in the table below.

Table F20: Bank Charges

FY	BUDGETED BANK CHARGES	ACTUAL BANK CHARGES
FY 2017/18	12,000	14,349.79
FY2018/19	12,000	15,095.25
FY2019/20	12,000	18,131.25
FY2020/21	15,000	21,712.91

The Finance and Administration Committee advised the Secretariat to submit the official communication from the banks whose offers are reflected in the table above to the Session of Senior officials during the 43rd meeting of the Council for consideration.

The official communication from the banks whose offers are being referred to is attached hereto as **Annex XXVII**.

The Council approved the request by the East African Court of Justice, to change the bank account from Standard Chartered Bank Tanzania Ltd to Kenya Commercial Bank (Tanzania) Ltd (EAC/CM 43/ Decision 23).

6.1.10 Request to close both EAC Foreign and Local Currency Bank Accounts at Standard Chartered Bank

The Council will be informed that EALA has been holding both forex and local currency bank accounts with Standard Chartered Bank (SCB) in Arusha, Tanzania to facilitate the settling of its various statutory and administrative operational costs.

However, on 8th September, 2022 by letter referenced CCIB/206/2022, SCB formerly communicated to EALA of its intention to close and or discontinue the banking services to the Assembly within a period of ninety days from the date of EALA's receipt of the letter. The reasons advanced by the Bank for closing and or discontinuing its services to EALA was that the bank was no longer able to meet EALA's banking service needs and that EALA's business profile no longer aligned to the Bank's model.

As such, EALA is seeking the approval of Council to close both accounts at SCB and open a new local currency account with Kenya Commercial Bank (KCB) to enable EALA to continue settling its obligations to various local stakeholders.

Table F21: EALA Bank Accounts to be closed

NO	BANK	ACCOUNT NO	CURRENCY	BALANCE as at 21 st February, 2023
1	STANDARD CHARTERED BANK(T) LTD	8708014192800	USD	162,062.35
2	STANDARD CHARTERED BANK(T) LTD	0108014192800	TSHS	56,474,907.20

The Finance and Administration Committee advised the Secretariat to submit the official communication from the bank to the Session of Senior officials during the 43rd meeting of the Council for consideration.

The official communication from the bank is attached hereto as **Annex XXVIII**.

The Council:

- (a) approved the request by the East African Legislative Assembly to close EAC Foreign and Local Currency Bank Accounts at Standard Chartered Bank (EAC/CM 43/ Decision 24); and
- (b) directed the East African Legislative Assembly to deposit the amount of USD 162,062.35 and TShs56,474,907.20 into the EAC General Reserve Account (EAC/CM 43/ Directive 39A).

6.1.11 Supplementary Budget for FY'2022/2023

- a) Request for Supplementary Budget to support the drafting of the Constitution for EAC Political Confederation

The 42nd meeting of Council of Ministers directed the Constitutional Experts to review the Roadmap for the EAC Political Confederation Constitutional Consultations process in the Partner States and submit the revised Roadmap to the Partner States for their preparation. **(EAC/CM 42/directive 13)**. The Secretariat is submitting a proposal amounting to **Sixty-one thousand and eighty USD (\$61,080)** to facilitate a two days meeting of constitutional experts to revise the roadmap and include DRC in the process and report back to Council. The funds will be derived from the balance which was donated by HE the President of Uganda to support the Constitutional making process. The Table below shows the breakdown.

Table F22: Supplementary Budget to review Road Map for constitutional process

Cost Centre: 150101		Political Federation					
Objectives							
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* &Qty*	Estimates

Cost Centre: 150101		Political Federation					
Objectives							
M4D01T0101S0302 8 th Meeting of National Stakeholder Consultations for Drafting the Political Confederation (2 days meeting)		2210505	Hiring Conference Facilities	Person Day	30	40*2	2400
		2210508	Sundry Logistics	Day	40	2*1	80
		2230101	Air tickets Staff	Person Trip	500	6*1	3,000
		2230102	Air tickets Delegates	Person Trip	500	24*1	12,000
		2230114	DSA Staff	Person Night	350	4*3	4200
		2230114	DSA Staff	Person Night	250	2*3	1500
		2230115	DSA Delegates	Person Night	400	14*3	16,800
		2230115	DSA Delegates	Person Night	350	14*3	14,700
		2210508	Transport Services	Day	400	3*2	2400
		2210508	Translation and interpretation services	Day	1000	2*2	4000
GRAND TOTAL							61,080

The Session was informed that the donation is in a dedicated account different from the EAC operating and General Reserve Accounts, which was opened at the discretion of the Secretariat.

The Council considered and adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 61,080 to be funded by a contribution from the Republic of Uganda to support the constitutional making process and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 26).

b) National Stakeholder Consultations in the Republic of Kenya

The Department of Political Federation is submitting a request for consideration of supplementary funding for the National Stakeholder Consultations for the Republic of Kenya.

a) Review of the Roadmap for the Constitutional Consultations Process

The 42nd meeting of Council of Ministers directed the Constitutional Experts to review the Roadmap for the EAC Political Confederation Constitutional Consultations process in the Partner States and submit the revised Roadmap to the Partner States for their preparation. (EAC/CM 42/directive 13). The Secretariat is submitting a proposal amounting to **USD 411,900**

An amount of USD \$581,326 was allocated from the General Reserve Fund to facilitate the drafting of the EAC Political Confederation Constitutional making process in Rwanda (USD 205,720) and Tanzania (USD 375,604) for National Stakeholder

Consultations. The Secretariat received a request for postponement in December 2022 from Republic of Rwanda due to important national commitments while the United Republic of Tanzania has requested to be considered the last.

The National Stakeholder Consultations have been scheduled for June 2023 in Rwanda (**USD 205,720 for 10 Days in 6 locations**) and late March-April 2023 in the United Republic of Tanzania (**USD 375,604 for 18 days in 9 locations**) and in Republic of Kenya (**USD 411,900 for 20 days in 9 locations**) to enable reporting back to Council as per directive. The Table below shows estimate budget required for the activity which has also factored in additional costs of catering for 3 Experts and 1 person from coordinating ministry from the DRC.

Table F23: MTEF FOR NATIONAL STAKEHOLDER CONSULTATIONS IN REPUBLIC OF KENYA

Cost Centre: 150101							
Objectives	Political Affairs						
MTEF & Activity Description	Funding Source	Account Code	Description of expense	Unit Measure	Unit Cost of Inputs	Number of Units* Qty	Estimated Budget
National Stakeholders Consultations in the Kenya (for 19 days)	General reserve	2210505	Hiring of Conference Facilities	Person Day	30	115*9	31,050
		2210508	Logistics for meetings(Printing/security/)	Person	40	10*1	400
		2230101	Air Ticket EAC-Staff/Incl Mileage	Person Trip	500	7*1	3,500
		2230101	Air Ticket EAC-Staff/Incl Mileage(Executive)	Person Trip	1000	1*1	1,000
		2230102	Air Ticket EAC-Delegate (Partner States Experts)	Person Trip	500	28*1	14,000
		2230102	Air Ticket EAC-Delegate (Local flights)	Person Trip	250	36*3	27,000
		2230114	DSA Full or 1/4-Staff(SG)	Person Night	450	1*20	9000
		2230114	DSA Full or 1/4-Staff-Professional	Person Night	350	5*20	35,000
		2230114	DSA Full or 1/4-Staff-General	Person Night	250	3*20	15,000
		2230115	DSA Full or 1/4- Delegates (Constitutional Experts)	Person Night	400	14*20	112,000
		2230115	DSA Full or 1/4- Delegates (Partner States Experts and legal drafters)	Person Night	350	14*20	98,000
		2230115	DSA Full or 1/4- Delegates (Refund on Local Transport)	Person Night	25	900*1	22,500
		2210401	Hiring of Vehicles for ground transport	Trip Day	300	10*12	36,000
		2210201	Interpretation/translation Radio/TV Airtime /Media	Lumpsum	500	15	7,500
Grand Total							411,950

The Council adopted a supplementary budget for FY2022/2023 amounting USD411,950 funded from General Reserve Fund to facilitate the Constitutional making process National Stakeholder Consultations in Republic of Kenya in Political Affairs department and forwarded the same to EALA for debate and approval(EAC/CM 43/ Decision 27).

c) Request for Supplementary Budget for FY 2022/2023 to facilitate Meetings of the Council of Ministers

The High-Level Summit Retreat on the EAC Common Market Protocol and the 22nd Ordinary Summit of the EAC Heads of State took place on 20-21st July 2022. The retreat expenditures and some summit expenses were charged to Conference departmental Budget. Given that Policy meetings are scheduled from June 2022 to June 2023 as per calendar of activities, the EAC Secretariat is requesting for a Supplementary Budget to support the meetings of the Council of Ministers as detailed in the table below:

Table F24: MTEF for Conference department activities

Objectives	M5	Developing and strengthening the capacity of all EAC Organs and Institutions to effectively execute their mandates					
120104 MTEF& Activity Description	Funding Source	Accounts Code	Description inputs	Unit of measure	Unit of cost inputs	Number of units & quantity	Estimates
To facilitate one (1) ordinary and (1) Extraordinary meeting of the Council of Ministers in Arusha	General Reserve	2210503	Meals and Refreshments for Workshop Participants	Person Day	30	750*2	45,000
To facilitate one (1) ordinary Council of Ministers outside Arusha	General Reserve	2210505	Hiring of Conference Facilities	Person Day	30	500	15,000
Total							60,000

The Session requested for information on the amount of Funds allocated for this activity in the current financial Year, actual expenditure to justify the financing gap. This information was not provided during the Session.

The Session was informed that the initial approved budget under Conference Department for conference and logistics amounted to USD42,200. The Summit and High-Level Retreat held in July, 2022 in Arusha had not been budgeted for in the FY2022/2023. The EAC Secretariat facilitated the High Level Retreat and Summit at total cost of USD67,794 therefore the Secretariat is requesting for a Supplementary Budget of USD60,000 to fund initial planned activities and funding gap.

The Council considered and approved the request for a Supplementary Budget for Financial Year 2022/23 amounting to USD 60,000 to be funded from General

Reserve Fund to facilitate convening of Policy meetings, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 28).

d) Request for Supplementary Budget for FY2022/2023 to facilitate Recruitment of Two Deputy Secretaries General

The Council, at its 42nd Meeting, approved the modalities for the recruitment of the two Deputy Secretaries General (i.e., applications, short listing and vetting be done at the Partner States level where eligible Partner States will short-list three suitable persons to undergo a competitive interview exercise at the regional level by a Committee of the Council who will recommend the suitable person for appointment by the Summit) (EAC/CM 42/decision 43).

The EAC Secretariat advertised the positions of Deputy Secretary General-Customs, Trade & Monetary Affairs and Deputy Secretary General-Infrastructure, Productive, Social and Political Sectors in the Newspapers as well as at EAC Website in August 2022. The Secretariat expects to receive a total of twenty-four (24) shortlisted candidates for the two positions.

Considering the profile of the two positions there is need for the candidates to attend interviews in-person. The interviews are planned to take place in November 2022 in Nairobi, Kenya and the interview panel will consist of Ministers from all Partner States (Ministers responsible for EAC Affairs).

Regulation 20 (7) of Staff Rules and Regulations (2006) provides that the Community shall pay travel and accommodation expenses for the short-listed candidates for the posts advertised.

The 47th Extra-Ordinary Meeting of the Council of Ministers while approving the budget of the Community did not allocate the funds to these important activities. As such the Secretariat is seeking a Supplementary Budget to fund the said activities as indicated in the Table below.

Table F25: MTEF for Recruitment of 2 Deputy Secretaries General

COST CENTRE: 120101 HUMAN RESOURCES DEPARTMENT								
OBJECTIVES	M5							
MTEF & Activity Description	Funding Source	Accounts code	Description of Inputs	Unit Measure	Number of units	Unit cost	Frequency	Estimates
INTERVIEW EXERCISE FOR TWO DEPUTY SECRETARIES GENERAL								
M5G07T0501S0105	ZG	2230102	Air ticket delegates	Person trip	6	1000	1	6,000
		2230102	Air ticket for candidates	Person trip	24	500	1	12,000
		2230101	Air ticket for Executive staff	Person trip	2	1000	1	2,000

To facilitate staff recruitment and staff relocation	2230101	Air ticket for other staff	Person trip	6	500	1	3,000
	2210505	Conference facilitation	Person day	20	30	2	1,200
		Accommodation for candidates (full board)	Night	24	250	2	12,000
	2230115	DSA Partner States Delegates	Night	7	450	4	12,600
	2230114	DSA for SG	Night	1	450	5	2,250
	2230114	DSA for DSG	Night	1	400	5	2,000
	2230114	DSG for Professional staff	Night	3	350	5	5,250
	2230114	DSA for General staff	Night	5	250	5	6,250
		Simultaneous translation	Day	2	1000	3	6,000
						S/Total	70,550

The Council adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 70,550, to be funded from General Reserve Fund to facilitate recruitment of the two (2) DSGs, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 29).

e) Request for Supplementary Budget to facilitate the Recruitment process for various vacant positions

The 42nd meeting of the Council of Ministers directed the Secretariat to commence recruitment for the following vacant positions in accordance with the EAC Staff Rules and Regulations (**EAC/CM42/Directive 38**):

Table F26:

Organ/ Institution	Position	Ref. No.	No. of Posts
ORGANS			
EAC SECRETARIAT			
	Director Infrastructure	EAC/HR/2022-23/09	1
	Principal Resource Mobilisation Officer	EAC/HR/2022-23/10	1
	Principal Education Officer	EAC/HR/2022-23/08	1
	CMI IT Specialist (Short Term Staff)	EAC/HR/2022-23/07	1
	Accounts Assistant (Payroll)	EAC/HR/2022-23/23	1
EAST AFRICAN LEGISLATIVE ASSEMBLY			
	Research Officer	EAC/HR/2022-23/18)	1
	Senior Personal Secretary to the Speaker of East African Legislative Assembly	EAC/HR/2022-23/21	1
EAST AFRICAN COURT OF JUSTICE			

Organ/ Institution	Position	Ref. No.	No. of Posts
ORGANS			
	Registrar, East African Court of Justice	EAC/HR/2022-23/11	1
	Network Administrator	EAC/HR/2022-23/13	1
INSTITUTIONS			
LAKE VICTORIA BASIN COMMISSION (LVBC)			
	Principal Internal Auditor	EAC/HR/2022-23/06	1
EAST AFRICAN KISWAHILI COMMISSION			
	Procurement Officer	EAC/HR/2022-23/17	1
	Senior Translation, Interpretation and Advocacy Officer	EAC/HR/2022-23/22	1
EAST AFRICAN HEALTH RESEARCH COMMISSION (EAHRC)			
	Principal Health Officer (Clinical Research)	EAC/HR/2022-23/14)	1
EAST AFRICAN SCIENCE AND TECHNOLOGY COMMISSION (EASTECO)			
	Principal Officer - Scientific Research and Development	EAC/HR/2022 - 23/15)	1
	Principal Officer, Innovation, Technology Development and Acquisition	EAC/HR/2022-23/16	1
	Principal Accountant	EAC/HR/2022-23/12	1
	Senior Personal Secretary	EAC/HR/2022-23/20	1

Table F27: MTEF for Recruitment process for various vacant positions

COST CENTER: 120101 HUMAN RESOURCES DEPARTMENT								
OBJECTIVES	M5							
MTEF & Activity Description	Funding Source	Accounts code	Description of CENTER: Inputs	Unit Measure	N o. of un its	Unit cost	Freq uen cy	Estimates
I. ADVERTISMENT								
M5G07T0501S0105	ZG	2210309	Advert	1/4 page	14	700	2	19,600
							S/T OTA L	19,600
II. SHORTLISTING EXERCISE								
M5G07T0501S0105	ZG	2230102	Air ticket	Person trip	7	500	1	3,500

COST CENTER:		HUMAN RESOURCES DEPARTMENT						
120101								
OBJECTIVES	M5							
To facilitate staff recruitment and staff relocation		2210505	Conference facilitation	Person day	18	30	15	8,100
		2230115	DSA	Person Night	7	350	16	39,200
			¼ DSA	Person day	8	87.5	15	10,500
			Simultaneous translation	Days	1	1000	15	15,000
							S/Total	76,300
III. INTERVIEWS EXERCISE								
M5G07T0501S0105		2230102	Air ticket	Person trip	7	500	1	3,500
To facilitate staff recruitment and staff relocation		2210505	Conference facilitation	Person day	18	30	15	8,100
	ZG	2230115	DSA (Delegates)	Person Night	7	350	16	39,200
Support Services (Experts from MEACA facilitating interviews)	ZG	2230115	¼ DSA	Person	28	87.5	15	36,750
Support Services (EAC Staff)	ZG	2230115	¼ DSA	Person	8	87.5	15	10,500
			Simultaneous translation	Days	1	1000	15	15,000
							S/Total	113,050
							Grand Total	208,950

The activity was only budgeted for USD16,000.

The Council adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 208,950 to be funded from General Reserve Fund to facilitate the recruitment process for various vacant positions; and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 30).

f) Request For Supplementary Budget to Facilitate a Meeting of Permanent/ Principal/ Under Secretaries Responsible for EAC Affairs to consider the issues raised on the institutional review report by Institutions and Organs of the Community

The 41st Meeting of the Council of Ministers held on 29th November 2021 directed the Secretariat to convene a meeting of Permanent/ Principal/ Under Secretaries responsible for EAC Affairs together with Heads of Institutions and Organs of the Community to consider the issues raised on the institutional review report by

Institutions and Organs of the Community, by 15th February, 2022 (**EAC/CM 41/Directive 48**).

The 42nd meeting of the Council of Ministers directed the Secretariat to convene a dedicated session of the Principal Secretary/Permanent Secretaries/Under Secretary and Heads of Organs and Institutions to resolve outstanding matters on the proposed EAC Staff establishment structure by 30th July 2022 (**EAC/CM 42/directive 35**).

The Council will be informed that the EAC Secretariat will convene the above meeting in the month of November 2022 in Kigali, Rwanda. The meeting will be attended by the Principal Secretaries/Permanent Secretaries/Under Secretaries accompanied by two Senior Officials, EAC Executives, EAC Heads of Organs and Institutions, Directors and the HR Team at the Secretariat. The cost of the expenditure is presented in the table below.

Table F28 MTEF for convening the meeting of Permanent/Under Secretaries

COST CENTER: 120101		HUMAN RESOURCES						
OBJECTIVES		M5	DEPARTMENT					
MTEF &Activity Description	Funding Source	Accounts code	Description of CENTER: Inputs	Unit Measure	Number of units	Unit cost	Frequency	Estimates
To facilitate a retreat for Permanent/Principal / under Secretaries and heads of organs and institutions on institutional review	ZP01	2210505	Conference facilities	Person	42	30	2	2,520
		2230102	Air ticket PS	Ticket	6	1000	1	6,000
		2230102	Air ticket Senior Officials	Person trip	12	500	1	6,000
		2230101	Air ticket Executive Staff	Person trip Night	3	1000	1	3,000
		2230101	Air ticket Heads of Organs and Institutions, Directors and other Professional Staff	Person trip	21	500	1	10,500
		2230101	Air ticket for Support Staff		7	500	1	3,500
		2230115	DSA PS	Night	7	400	3	8,400
		2230115	DSA (Senior Officials)	Night	14	350	3	14,700
		2230114	DSA SG	Night	1	450	3	1,350

COST CENTER: 120101		HUMAN RESOURCES						
OBJECTIVES	M5	DEPARTMENT						
		2230114	DSA DSG and CTC	Night	2	400	3	2,400
		2230114	DSA for Heads of Organs and Institutions, Directors and other Professional Staff	Night	21	350	3	22,050
		2230114	DSA Support staff	Night	7	250	3	5,250
			Others (printing, photocopying, scanning)	Lumpsum	N/A	N/A	N/A	1,000
			Simultaneous translation	days	2	1000	2	4,000
			TOTAL					90,670

The Council adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 90,670 to be funded from General Reserve Fund to facilitate a meeting of the Permanent Secretaries to consider the issues raised on the institutional review report by Institutions and Organs of the Community and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 31).

g) Request for Supplementary Budget for the 2nd Edition of the EAC Sports Tournament – EAC Games 2023

The Council was informed that the EAC introduced the EAC Games as a way of fostering regional integration and solidarity among the people of East Africa through sports. The games also promote inclusive sports, sharing of sporting talents, awareness creation on the EAC, branding and talent development. The 1st Edition of the EAC Games was successfully held in Bujumbura, the Republic of Burundi in August 2018. The 2nd Edition of the Games was to be in Kigali, Rwanda in 2020 but was affected by the COVID-19 pandemic. The 16th SCESTCS directed the Secretariat to convene the Regional Steering Committee by July 2021 and propose a date for the event in consultation with relevant authorities in the Partner States. The Secretariat liaised with the Partner States and established the Regional Steering Committee for the event. The dates of the EAC Games are yet to be agreed upon as the Regional Steering Committee prioritised the convening of the just concluded 5th Edition of the Culture and Arts Festival.

However, the budget allocated to the Culture and Sports Department for the Financial Year 2022/23 did not include funding for key preparatory activities and events for the EAC Games in 2023.

The Secretariat submitted the request below to seek funding to facilitate key preparatory activities both at regional level and national level. The activities include holding meetings of the regional dialogue committee, preparing branding material, prizes, and awards, and supporting the meetings with key stakeholders such as sports federations, ministries of sports, the private sector, schools and universities. The aforementioned activities are planned to take place between 1st October 2022 and 30th June 2023.

Table F29: MTEF for the 2nd Edition of the EAC Sports Tournament

Cost Centre: 140201 Culture and Sports							
Objectives	M2						
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* Qty*	Estimates
Conduct steering meeting for the 2 nd Edition of the EAC Sports Tournament (EAC Games)	ZP01	2230102	Air ticket/Mileage Delegates	Person Trip	500	7	3,500
		2230115	DSA or ¼ DSA – Delegates	Person Night	350	28	9,800
		2210505	Hiring of Conference Facilities	Person Day	30	180	5,400
		2230101	Air ticket/Mileage Staff	Person Trip	500	3	1,500
		2210306	Advertising and publicity materials	Lumpsum	3000	1	3,000
		2230114	DSA or ¼ DSA – Staff	Person Night	350	18	6,300
Subtotal							29,500

The Council adopted a Supplementary Budget for the FY2022/2023 amounting to USD 29,500 to be funded from the General Reserve Fund to facilitate the 2nd Edition of the EAC Sports Tournament and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 32).

h) Request for Supplementary Budget for the Annual EAC Secretary General's Forum for the Private Sector, Civil Society and Other Interest Groups

The Secretary General's Forum is an annual event held in fulfilment of Article 127(4) of the EAC Treaty which states that *"The Secretary General shall provide the forum for consultations between the private sector, civil society organizations, other interest groups and appropriate institutions of the Community"* and Article 129 (2) that

provides for the Council to “*establish modalities that would enable the business organizations or associations, professional bodies and the civil society in the Partner States to contribute effectively to the development of the Community.*”

The Council was informed that the EAC Secretariat has finalized the preparatory processes towards the convening of the 7th Annual EAC Secretary General’s Forum under the theme “**Towards a post-COVID-19 recovery for socio-economic transformation**”. The forum has a core objective of providing an opportunity for the private sector, civil society, and other interest groups to share experiences and good practices of the integration process and work out a coordinated strategy toward recovery from the effects of the COVID-19 Pandemic.

In preparation for the 7th Annual EAC Secretary General’s Forum, all Partner States have successfully undertaken their National Dialogue Forums. The preparatory meeting of the Regional Dialogue Committee has finalized the Concept Note and Programme of the Forum which will be held in Nairobi, Kenya.

However, in planning for the forum, it was realized that the budget is insufficient as only USD16,200 was allocated for the activity in the budget for FY2022/23.

The request below therefore, considers the minimum amount required to achieve the successful convening of the event which will attract over 200 participants including government dignitaries, Members of Parliament, Ministers, Leaders in Business, Industry and Trade, Development Partners, EAC Organs and Institutions and leaders of the Civil Society and Private Sector.

Table F30: MTEF the 7th Annual EAC Secretary General’s Forum

Cost Centre: 0110101							
Objectives	M5M5F04						
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
M5F04T020 I A04 Convene Annual EAC Secretary General's Forum with the Private Sector, Civil Society and Other Interest Groups	ZP01	2210306	Advertising and Publicity Materials (Banners, Media)	Lumpsum	3000	1	3,000
		2210505	Hiring of Conference Facilities	Person Day	30	280	8,400
		2230114	DSA or ¼ DSA – Staff	Person Night	350	16	5,600
							17,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 17,000 to be funded from the General Reserve Fund to facilitate the 7th Annual EAC Secretary General’s Forum and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 33).

i) Request for Supplementary Budget for Civil Aviation

Article 92 of the Treaty for the Establishment of East African Community provides for Program and Projects to be implemented under Civil Aviation and Airport department with an objective of promoting the development of safe, secure, reliable, efficient and economically viable civil aviation with a view to developing appropriate Infrastructure, Aeronautical skills and Technology, as well as the role of aviation in support of other economic activities.

The Council will be informed that the Sector Priority area as provided in the Sixth EAC Development Strategy 2021/2022 – 2025/2026 is the implementation of a Single African Air Transport Market by 2025.

EAC Strategic Intervention

The Council will further be informed that the implementation of the **Liberalization of Air Transport Market** in the EAC region encompasses integrated activities within the Air Transport sector to achieve the envisaged Sector Priority Areas. Key among them are the following:

- a) Liberalization of Air Transport Market in the EAC region in line with Yamoussoukro Decision (YD);
- b) Implementation of Single African Air Transport Market (SAATM);
Establishment of EAC Upper Air Space Seamless Operation;
- c) Expand and modernize regional airports;
- d) Reduce Aircraft Accident and Incidents through application and implementation of ICAO Standards and Recommended Practices (SARP's) in all aspects of civil aviation systems;
- e) Expand regional tourist airport connections;
- f) Harmonization of Civil aviation and Airports Policies, that will facilitate the establishment of: common measures for the facilitation of Passenger, Aircraft and Cargo; common measures for aircraft maintenance and overhaul facilities; and common measures for handling the Regional Aircraft Accidents and Incidents Investigations, Search and Rescue;
- g) Establishment of Centers of Excellence in aviation

The Sixth EAC Development Strategy (**2021/2022 – 2025/2026**) has set **budget** and **targets** to realize the above strategic interventions in the air transport sector for a period of five years as follows:

- a) Liberalize Air Transport in the EAC Region by 2025;
- b) Achieve full implementation of Single African Air Transport Market by 2025;
- c) Fully established EAC Upper Airspace Seamless Operation by 2024;
- d) Three Regional Airports expanded and or modernized to cope with increased traffic;

- e) Reduce number of aircraft accident and incidents by 30%;
- f) Three regional tourist airport connections expanded by 30%;
- g) Civil Aviation and Airport policies harmonized; and
- h) Three centres of excellence (ATO's) developed for civil aviation.

In this regard, and in order for the department of Civil Aviation to coordinate the implementation of the programs and meet the envisaged targets above, the department requires to convene at least three technical working sessions for each program with Partner States in a Financial Year.

The Council was informed that the department of civil aviation had no staff for the period of four years and therefore most activities for which the Department has responsibility have not been presented for budget allocation during the budget preparation of 2022/2023 Financial Year.

Against this background, CASSOA seeks the approval of a Supplementary Budget amounting to USD 29,950 to facilitate implementation of six unbudgeted activities in line with the 6th EAC Development Strategy as follows:

Table F31: Supplementary Budget to Facilitate Civil Aviation and Airports Activities from January to June 2023

Cost Centre:0130203		Civil Aviation and Airports					
Objective		Implementation of Single African Air Transport Market by 2025 "promoting the development of safe, secure, reliable, efficient and economically viable civil aviation with a view to developing appropriate Infrastructure, Aeronautical skills and Technology, as well as the role of aviation in support of economic activities".					
Activity Description	Funding Source	Account s Code	Descriptio n of Inputs	Unit Measure	Unit Cost of Input s	Numbe r of Units* &Qty*	Budget Estimate s
Undertake joint table top exercise to test the EAC Joint Aeronautical and Maritime Search and Rescue Plan by involving all concerned stakeholders including aircraft accident and incident Investigators, Aeronautical and	Partner States Statutory Contributions	2210505	Conference facilities	Conference facilities	30	120	3,600
		2230101	Air ticket/ Mileage - staff (within the region)	Air ticket/ Mileage - staff (within the region)	500	3	1,500
		2230114	DSA or 1/4DSA – General Staff	DSA or 1/4DSA – General Staff	250	4	1,000
		2230114	DSA or 1/4DSA Professional Staff	DSA or 1/4DSA Professional Staff	350	8	2,800

Maritime search and rescue expert		Sub-Total					8,900
Convene three days EAC Airport Sub Committee meeting Airport experts on the implementation of priority airport project (Regional and tourist Airports) to cope with increased air traffic	Partner States Statutory Contributions	2210505	Conference facilities	Conference facilities	30	60	1,800
		2230101	Air ticket/ Mileage - staff (within the region)	Air ticket/ Mileage - staff (within the region)	500	3	1,500
		2230114	DSA or 1/4DSA – General Staff	DSA or 1/4DSA – General Staff	250	4	1,000
		2230114	DSA or 1/4DSA Professional Staff	DSA or 1/4DSA Professional Staff	350	8	2,800
		Sub-Total					7,100
Convene three days Working Session of CWG on EAC Upper Air Space Seamless Operations for consolidating final evaluation report of Phase one road map and develop phase two road map for Upper Air Space Seamless Operations project (EAC – ARS)		2210505	Conference facilities	Conference facilities	30	120	3,600
		Sub Total					3,600
Convene three days meeting of the EAC CNS/ATM Subcommittee (Directors of Air Navigation Services) to consider final evaluation report of Phase one road map and develop phase two road map for Upper Air Space Seamless Operations		2210505	Conference facilities	Conference facilities	30	60	1,800
		Sub Total					1,800

project from CWG (EAC - ARS)							
Convene two days meeting of the Heads of Civil Aviation and Airports Authority to review and adopt progress made by technical working group, to be reported to the Sectoral council on TCM (EAC - ARS)		2210505	Conference facilities	Conference facilities	30	80	2,400
		Sub Total					2,400
Convene three days Working session with EAC Aviation Training sub Committee to Review the developed proposal for rehabilitation of East African Aviation Schools project, Implementation of ICAO Trainair program and develop road map for EAC ATO's to become centre of excellence		2210505	Conference facilities	Conference facilities	30	60	1,800
		2230101	Air ticket/ Mileage - staff (within the region)	Air ticket/ Mileage - staff (within the region)	500	3	1,500
		2230114	DSA or 1/4DSA – General Staff	DSA or 1/4DSA – General Staff	250	3	750
		2230114	DSA or 1/4DSA Professiona l Staff	DSA or 1/4DSA Professiona l Staff	350	6	2,100
	Sub Total						6,150
GRAND TOTAL							29,950

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 29,950 to be funded from the General Reserve Fund to facilitate activities of the Civil Aviation Department, and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 34).

i) Request for Supplementary Budget to Facilitate EAC Internal Audit Function

The Council will be informed that the EAC Audit and Risk Committee Charter provides for five meetings including four ordinary and one extra-ordinary Meeting annually. However, the approved budget of the Internal Audit unit for the Financial Year 2022/23 makes provision for only three meetings thus leaving two meetings unfunded.

In addition, following the Decision by the 42nd Ordinary Council of Ministers meeting to appoint a member from the Republic of South Sudan to join the EAC Audit and Risk Committee, there is a need to budget for the cost of the new member to attend the EAC Audit and Risk Committee meetings.

The four meetings and their subject matters are as follows:

- a) To consider Audit Commission Reports;
- b) To consider internal audit reports;
- c) To consider and approved internal plans; and
- d) To consider status of implementation of:
 - (i) Internal audit findings
 - (ii) Audit commission reports and
 - (iii) Council directives,

An extra-Ordinary meeting is usually convened mainly to prepare an annual report and recommendations to Council of ministers.

The request for a Supplementary Budget, therefore, is to seek budgetary provision for the two unfunded meetings and to cater for the cost of the new member of the Audit and Risk Committee from the Republic of South Sudan.

Table F32: MTEF for two (2) EAC Audit and Risk Committee Meetings and the Audit and Risk Committee Member from RSS.

COST CENTER: 110101 INTERNAL AUDIT DEPARTMENT								
OBJECTIVES	M5							
MTEF & Activity Description	Funding Source	Accounts code	Description of Inputs	Unit Measure	Number of units	Unit cost	Frequency	Estimates
M5G06T0101D0701 To conduct one (1) ordinary meeting of the Audit and Risk Committee.	ZP01	2210505	Conference facilities	Person	30	30	5	4,500
		2230101	Air ticket/mileage - staff	Person trip	3	500	1	1,500
		2230102	Air ticket/mileage - Delegates	Person trip Night	1	1000	1	1,000
		2230104	Air ticket/mileage - Members	Person trip	6	500	1	3,000

COST CENTER: 110101 INTERNAL AUDIT DEPARTMENT								
OBJECTIVES	M5							
		2230114	DSA or 1/4DSA- Staff	Night	3	350	6	6,300
		2230115	DSA or 1/4DSA- Delegates	Night	1	400	6	2,400
		2230117	DSA or 1/4DSA- Member	Night	6	350	6	12,600
			TOTAL					31,300
M5G06T0101D0701 To attend three (3) ordinary meeting of the Audit and Risk Committee by a member from Republic of South Sudan	ZP01	2230104	Air ticket/mileag e - Members	Person trip	1	500	3	1,500
		2230117	DSA or 1/4DSA- Member	Night	1	350	18	6,300
Subtotal								7,800
Grand total								39,100

The Council adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 39,100 to be funded from General Reserve Fund to facilitate activities of Internal Audit of the Community, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 35).

j) Request for Supplementary Budget to facilitate an Extra-Ordinary Meeting of the Finance and Administration Committee

The Democratic Republic of Congo deposited the Instrument of Ratification with the Secretary General on 12th July 2022 and thus became a full member of the Community.

Article 132(4) of the Treaty provides states that *‘The budget of the Community shall be funded by equal contributions by the Partner States and receipts from regional and international donations and any other sources as may be determined by the Council’* Pursuant to Council directives **EAC/EXCM47/Directives 14 and 15**, of the 47th Extra Ordinary meeting of Ministers, each Partner State contributes USD 8,445,141 towards the budget for FY’2022/2023.

Further the 42nd Ordinary Meeting of the Council of Ministers directed that the Secretariat to prepare a detailed MTEF budget to be funded by the contribution by the Democratic Republic of Congo and submit it to the Finance and Administration Committee (**EAC/CM 42/directive 30**).

The Council was informed that pursuant to the Council Directive, the Secretariat convened a meeting of the Finance and Administration Committee from 4th to 7th

October 2022, and Democratic Republic of Congo had no representation which resulted into the deferment of the Agenda item.

The Council was further informed that the MTEF for DRC was required to be ready by end of October for consideration by the 43rd Council in November, 2022. Therefore, due to the urgent and important nature of the activity, and in order to enable the Community to facilitate the integration of the DRC into the activities and budgets of the Community such as salaries for new Assembly Members from DRC that are expected to be elected by 18th December 2022, the F & A should convene an Extra Ordinary F & A meeting in DRC to enable full participation of all Partner States in considering the proposed contribution by DRC for FY 2022/23.

The Secretariat is proposing to convene an Extra-Ordinary meeting of the Finance and Administration Committee to consider the detailed MTEF funded by funds to be contributed by DRC and submit to the 43rd Council for consideration. The Table below provides the MTEF for the said activity:

Table F33: MTEF for Extra Ordinary Meeting of the Finance and Administration Committee

Cost Centre 120202		Budget department					
Objectives	M4	Strengthening of EAC Institutional and Administrative Frameworks					
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
To convene Extra ordinary meeting of Finance and Administration to consider detailed MTEF funded by DRC	General Reserve Fund	2230115	DSA Full Delegates	Person Night	350	3*7*5=105	36,750
		2230102	Air Ticket EAC-Delegate ()	Person Trip	500	3*7 =21	10,500
		2230114	DSA Executives	Person Night	400	5	2,000
		2230114	DSA Staff-Professional (planning& budget committee secretariat)	Person Night	350	12*5=60	21,000
		2230114	DSA Staff-General / Secretary	Person Night	250	3*5=15	3,750
		2230101	Air Ticket EAC-Staff/Incl Mileage	Person Night	1000	1	1,000
		2230101	Air Ticket EAC-Staff/Incl Mileage	Person Trip	500	12+3=15	7,500
		2210508	Logistics	Lumpsum	200	5	1,000
		2210505	Hiring of Conference Facilities	Person Day	30	60*4=240	7,200
TOTAL							90,700

The Council retrospectively adopted the supplementary budget of USD 90,700 for FY'2022/23 funded from General Reserve to facilitate the Extra Ordinary Meeting of Finance and Administration Committee and forwarded the same to EALA for appropriation(EAC/CM 43/ Decision 36).

k) Request for Supplementary Budget for the Office of the Counsel to the Community

In accordance with Article 132 of the Treaty, the Budget for the FY 2022/23 approved by the Assembly for the office of the Counsel to the Community (Office of CTC) 110104, has the following provision:

Table F34:

S/N		Activity Funded Under the Budget	Code	Amount provided
1.		Meetings of the East African Judicial Education Committee and training meetings for judges, magistrates and judicial officers of the Partner States.	M2B02T0101A10 10.3.1	24,140
2.		Meetings of the Sub - Committee and Task Force on Harmonisation of National Laws in the EAC Context.	M2B02T0101A10 10.1.1	10,150
3.		Meetings to edit the submitted manuscripts.	M2B02T0101A10 10.2.1	9,860
4.		CTC to attend Court to represent the Community on litigation matters and EALA meetings outside Arusha	M5G02T0101A03 03.2.2	9,200
5.		Meetings of the Legislative Draftspersons and the Sectoral Council on Legal and Judicial Affairs.	M5G02T0101A03 03.1.1	44,000
6.		Printing and gazetting of EAC laws, rules and regulations as well as decisions and directives of Summit and Council.	M5G02T0101A03 03.1.2	7,150

Considering the core functions of the Office of the CTC, the urgent unfunded and underfunded priorities under legal and judicial affairs are as follows:

Pending Legal Instruments of the Community - Bills referred to the Sectoral Council on Legal and Judicial Affairs

The Council recalled that Bills originating from the Council are ordinarily referred to the Sectoral Council on Legal and Judicial Affairs for the Attorneys General of the Partner States to confirm to the Council that the Bills are in conformity with the Treaty and the Laws of the Community, before they are approved by the Council to be introduced in the Assembly.

The Council was informed that in order for the Attorneys General (Sectoral Council Legal and Judicial Affairs) to consider the Bills, the Bills must be drafted by the Legislative Draftspersons coordinated by the Office of the CTC for presentation to the Sectoral Council and consideration by the Session of the Attorneys General. The **following Bills** are required to be considered by the Sectoral Council on Legal and Judicial Affairs:

- a) The Elimination of Non – Tariff Barriers Amendment Bill;
- b) The East African Community Metrology Bill - ***This bill should have been presented to the Assembly together with the EAC Standardization, Accreditation and Conformity Assessment (SACA) Bill since they both relate to Standardisation Quality Assurance Metrology and Testing Protocol;***
- c) The East African Community Seed and Plant Varieties Bill;
- d) The East African Community Fertilizer Bill;
- e) East African Community Sanitary and Phytosanitary Bill *to implement the Sanitary and Phytosanitary Protocol;*
- f) Protocol on Tourism

Amendment of the Treaty by the Sectoral Council on Legal and Judicial Affairs

The 21st Ordinary Summit of the Heads of State of the East African Community held on 27th February, 2021 adopted French and Kiswahili as official languages of the Community and directed the Council to expedite the implementation modalities of the decision of the Summit. The 22nd Ordinary Summit of the Heads of State of the East African Community received an update on the status of inclusion of French and Kiswahili as official languages of the Community and considered a roadmap on the implementation of Kiswahili and French as official languages of the Community and directed the Council to expedite the implementation of the roadmap.

The 41st Meeting of the Council referred the proposed amendments to Article 137 and Article 46 of the Treaty for the Establishment of the East African Community to the 24th Sectoral Council on Legal and Judicial Affairs for legal input and report to the 42nd Meeting of the Council. (EAC/CM 41/Decision 22)

The Council was informed of the urgent need to convene an Extra Ordinary meeting of the Sectoral Council on Legal and Judicial Affairs to consider the Amendments to Articles 137 and Article 46 in addition to other directives of the Summit to the Attorneys Generals. This matter is even made more urgent by the decision of the Summit admitting the Democratic Republic of Congo into the Community and the fact that the DRC has since July 2022 been admitted as a full member of the Community following the deposit on the Instrument of Ratification of the Treaty establishing the East African Community to the Secretary General.

In addition, the Office of the CTC is required to attend and provide legal and legislative support to the Committees and Plenary Session of the Assembly. The Session of the Assembly was convened in Kigali, Rwanda in November, 2022 and this had not been planned for by the Office.

Furthermore, the Office of CTC provides legal representation for the Community in the Court of Justice and Courts in the Partner States. The next Ordinary Session of the Court will be held in Kampala Uganda and the CTC and 2 legal officers separately handling matters before the Court need to appear before the First Instance and Appellate Divisions of the EACJ during their Sessions. The current budget for this activity did not foresee this development.

Funding Gap

The Office of the CTC presented to the Committee a request for additional funding in the amount of **USD 41,350** (United States Dollars Forty-One Thousand Three Hundred and Fifty) to enable the Office of the Counsel to the Community to meet the statutory obligations of the Office, as presented in tables below:

Table F35: MTEF for the Office of the CTC the FY2022/2023

Cost Centre:							
110104 Office of the CTC							
Objectives							
MTEF & Activity Description	Funding Source	Accounts Code	Description of inputs	Unit Measure	Unit Cost of Inputs	No. of Units' & Qty	Est. (USD)
M5S0IT061S 1. Sectoral Council on Legal and Judicial Affairs	ZP01	2210505	Hiring of Conference facilities	Person Day	45	150	6750
Sub Total		2230101	Airtickets/Mileage-Staff (within the region)	Person Trip	4	1	2000
		2230101	Airtickets/Mileage-Staff (within the region)	Person Trip	1	1	1000
		2230114	DSA Exec. Staff	Person Night	400	6	2400
		2230114	DSA Prof. Staff	Person Night	350	18	6300
		2230114	DSA Gen. Staff	Person Night	250	12	3000
							21,450
2. Attending and facilitating the plenary for the East African Legislative Assembly (EALA) in Kigali Rwanda in from 23 rd October – 5 th November 2022.		2230114	DSA Exec. Staff	Person Night	400	14	5600
		2230114	DSA Prof. Staff	Person Night	350	14	4900
		2230114	DSA Gen. Staff	Person Night	250	12	3500
Sub Total							14,000

3. Attending the EACJ Session and representing the Community in the East African Court of Justice in Kampala in November, 2022	2230114	DSA - Exec. Staff	Person Night	400	6	2400
	2230114	DSA - Prof. Staff	Person Night	350	10	3500
Sub Total						5,900
GRAND TOTAL	41,350					

The Council adopted a Supplementary Budget amounting to USD 41,350 for FY2022/23 funded from the General Reserve to facilitate the implementation of the activities of the Office of the Counsel to the Community and forwarded the same to EALA for appropriation (EAC/CM 43/ Decision 37).

I) Request For Supplementary Budget to Support Public Relations and Publicity Programmes

Communication and awareness creation is one of the most critical functions to promote the EAC integration process and improve the image of the Community. Consequently, one of the Global Priority Areas under the 6th EAC Development Strategy is: Increased visibility, knowledge, awareness and participation of the Private Sector, citizens, and other stakeholders in the EAC integration process.

The key activities for the Corporate Communications and Public Affairs Department for the 2022/2023 Financial Year include:

- a) to organise media briefings; live streaming of events; and arrange media breakfast engagements for key events;
- b) to develop and distribute infomercials and programmes on EAC integration for dissemination on Radio, TV, and Digital Media Platforms, and;
- c) to print and distribute EAC integration publications (Treaty, Protocols, and occasional publications to stakeholders)

The Council was informed of the need for robust engagement with media on publicity, however, this is hindered by limited funding for all the activities of the department thereby occasioning gaps in efforts to promote publicity and improve the image of the Community. The Department has in the past mitigated the funding gap through support from Development Partners, but most Partners have since stopped providing any support. Despite this funding shortfall, the department is still expected to provide PR Management Support to the entire Community.

The total sum allocated for the three activities for the current financial year was US\$37,790 that has already been exhausted yet the FY is not even halfway. The department has no funds left on its travel budget with the other budget lines having been exhausted. The department requests for the following proposed supplementary budget for PR and publicity programmes as per the table below:

Table F36: MTEF for Corporate Communications activities

Objectives	M5K	Promotion of awareness creation and participation and popular participation of the East African citizens in the integration process					
110105 MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
To organise media briefings; live streaming of events; and arrange media breakfast engagements for key events		2230101	Air ticket (Mileage-Staff	Person Trip	500	6	3,000
		2230114	DSA/1/4 DSA-Staff	Person Night	350	24	8,400
		2210505	Hiring of Conference Facilities	Unit	30	100	3,000
		2210707	Media Supplies	Pieces	15	500	7,500
TOTAL							21,900

The Council adopted a Supplementary Budget for FY2022/23 amounting to USD 21,900 to be funded from the EAC General Reserve Fund to facilitate Public Relations and Publicity programmes and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 38).

m) Request for Supplementary Budget for Support to the EAC's Strategic Communication, Project Monitoring and Partner States' Relations

Pursuant to the directive of the 41st Ordinary Council, the Secretariat procured the services of a Media Relations Expert. The other three positions will be filled through competitive procurement.

Extension of Contract for Media Relations Expert

The EAC region has made significant progress in terms of recovery from the COVID-19 pandemic that has been around for almost one and a half years to date with devastating socio-economic and political impacts on East Africa during the first 1½ years of the current Secretary General's tenure in office. Strategic communication is now required more than ever before to galvanise Partner States and EAC Citizens

behind the integration process. Under the 6th EAC Development Strategy, communication and awareness creation are key components in taking the integration process to the people at the grassroots as envisaged by the EAC's Founding Fathers.

Consequently, the Secretariat secured support from GIZ during the 2021/2022 FY through its Support to East African Market Driven & People Centred Integration (SEAMPEC) to hire a Media Relations Expert. The purpose of the funding from SEAMPEC to the Secretary General's office was to provide capacity development and advice to strategically strengthen the EAC's media relations' efforts and to lift the image of the EAC through well-packaged messages and stories.

The 41st Ordinary Council:

- (a) retrospectively adopted a supplementary budget for FY'2021/2022 amounting to USD 36,000 to funded by GIZ under the financing agreement No. 83387350 to facilitate the provision of consultancy services by the Media Relations Expert for the Office of the Secretary General and forward the same to EALA for debate and approval (**EAC/CM 41/Decision 46**); and
- (b) directed the Secretariat to tie the term of the Contract to the Financing Agreement (**EAC/CM 41/Directive 46**)

Even though the relationship between the regional and national media in the EAC Partner States has already improved, more work is required to ensure constant high-quality communication in all the seven (7) EAC Partner States. Therefore, through a Financing Agreement **No. 83416368** between GIZ and EAC, the Secretariat has secured additional financial support to enable the extension of the contract for the Media Relations Expert. The GIZ support of the Media Relations Expert attached to the office of the Secretary General will be for a period of six (6) months.

Expected Outputs/Outcomes

The following outputs are expected from this intervention:

- a) Strategic advice to the EAC Secretary General on communication;
- b) Established network with media houses in each of the seven Partner States;
- c) Development of a manual on how to address and solve a communication crisis and briefing of EAC Secretariat staff on the same;
- d) Development of thematic features on successes of EAC integration for publishing in regional and national newspapers;
- e) Development of a bulletin to present status updates on EAC projects bi-annually to EAC Partner States (in cooperation with the project Assistant)

The following outcomes are expected from this intervention:

- a) The EAC Secretary General and relevant EAC staff are always up to date on project developments and can inform Partner States and media accordingly;

- b) Communication of the EAC Secretariat always includes information on latest project successes;
- c) The EAC Secretariat is better prepared to coordinate project implementation.

Project Assistant

Since its inception, the EAC integration agenda has leveraged its progress on projects and programmes in different sectors at the national and regional levels. Over the past five years, the EAC Projects portfolio has expanded significantly covering all the sectors that contribute to integration process. Nearly 20 projects are currently being implemented in different sectors, hence the need for effective management and coordination.

The Council was informed that since the EAC project portfolio has grown overtime in scope and diversity, there is a need to strengthen capacity for management and coordination of the different aspects of project implementation in a consistent and sustainable manner.

Over the past few years, the EAC Audit Commission, the EAC Risk and Audit Committee, EALA Accounts Committee recommendations and EAC Council of Ministers have urged the EAC Secretariat to put in place a mechanism to address the challenges hindering project implementation.

Consequently, the 32nd and 38th Council of Ministers directed the Secretariat (**Directive EAC/CM/32/Directive 05** of August 2015 and **Directive EAC/CM/36/Directive12** of 20th February 2018) to fast track the establishment of a Projects Coordination Unit at the EAC Secretariat. The 39th Council held on 28th November 2019 further directed the Secretariat to operationalize the unit (**EAC/CM/39 Directive 19**).

In response to the foregoing Council directives, the Secretariat established a Projects Coordination Unit in 2017 with support from Trademark East Africa and GIZ. The objective of the Unit was to ensure effective coordination and integration of projects management into the mainstream EAC management processes. However, the Unit is currently not running because the support provided by TMEA and GIZ ended in March 2021, thus the need for support by way of a short-term project assistant as the Secretariat strives to operationalize the PCU.

The EAC Secretariat received funding from GIZ to the tune of USD14,000 under **Financing Agreement 83387350** to cater for the consultancy fees for the Project Assistant. The consultancy fees will be disbursed in seven (7) equal monthly instalments. The 41st Council retrospectively adopted a supplementary budget for FY'2021/2022 amounting to USD14,000 to be funded by GIZ to cater for the provision of consultancy services by the Project Assistant as provided for under the GIZ

Financing Agreement No. 83387350 and forward the same to EALA for debate and approval **(EAC/CM 41/Decision 96).**”

Rationale for Hiring Project Assistant

A project assistant for the EAC’s Project Coordination Unit is to constantly gather information on EAC’s project implementation and act as a key point of information for the Office of the Secretary General in addition to the Corporate Communications Unit as both need to be fully aware on project progress and achievements in order to communicate them to EAC’s stakeholders. The assistant will, among other things, liaise with the IT department, which is implementing a monitoring tool on EAC integration.

The Secretariat secured additional funding to the tune of USD 15,000 from GIZ under **Financing Agreement No.: 83416368** for purposes of procuring a Project Assistant. The contract for the Project Assistant will be for a period of six (6) months.

Interpretation Expert on relations with Francophone Partner States

The Democratic Republic of the Congo joined the EAC in 2022, thereby increasing the EAC population to approximately 275 million. With the entry of DRC, the EAC has also gained a bigger percentage of French-speaking citizens, which now account for more than one third of the total EAC population. For this reason, the Secretariat requires support from an expert on strengthening relations and communication with the new Francophone bloc within the Community.

Rational for Hiring Interpretation Expert

The interpretation expert will assist the SG and other EAC management staff to steer the process of inclusion of DRC into the EAC and ensure close communication between the Secretariat and representatives of Francophone Partner States.

Expected Outputs/Outcomes

The following outputs are expected from this intervention:

- a) Strategic advice to the SG and top management on strengthening relations with Francophone Partner States;
- b) Development of an approach for the SG’s Office to enable and steer swift inclusion of DRC into the EAC;
- c) Development of a communication framework between the SG’s Office and EAC with the Francophone Partner States.

The following outcomes are expected from this intervention:

- a) A swift process of inclusion of DRC into the EAC;
- b) Strengthened relations between the EAC and Francophone Partner States;

- c) Seamless communication between SG's Office and the Francophone Partner States.

The Secretariat secured additional funding to the tune of USD 18,000 from GIZ under the **Financing Agreement No.: 83416368** for purposes of procuring a Project Assistant. The contract for the Project Assistant will be for a period of six (6) months.

French Translation Expert

A big percentage of the EAC are now French speakers following the entry of DRC into the bloc. This implies that a lot of French documentation and other information will be shared between the Secretariat and DRC. Therefore, it is imperative that a French translation expert be placed in the SG's Office to strengthen communication and the flow of information between the Secretariat and Francophone Partner States.

Rationale for the French Translation Expert

The translation expert will strengthen communication including translation of radio and TV news and non-news programmes, and consecutive translation during key events.

Expected Outputs

The following outcomes are expected from this support:

- Provide accurate, detailed, and timely written French-English simultaneous transcription/translation (as requested) of news, TV programmes, reports, emails, social media, and website articles
- Respond to EAC emails in French and other types of communication for clarifications, edits, and corrections as and when needed.

The detailed Budget Estimates for the positions of Media Relations Expert, Project Assistant, Interpretation Expert and French Translation Expert are presented in the Table below.

Table F37: MTEF for Corporate Communications activities funded by GIZ

Objectives	M5K	Promotion of awareness creation and participation and popular participation of the East African citizens in the integration process					
110105 MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs (US\$)	Number of Units* Quantity	Estimates (US\$)
Consolidated Consultancy Fees for PR Expert	GIZ	2240108	Consultancy Fees & Reimbursable	Monthly	4,500	6	27,000
Cost Centre SG's Office							
Objectives		Support to SG's Office in project monitoring and implementation					
Consolidated fees for Assistant on Project Monitoring	GIZ	2240108	Consultancy Fees & Reimbursable	Monthly	2,500	6	15,000

Objectives	M5K	Promotion of awareness creation and participation and popular participation of the East African citizens in the integration process					
110105 MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs (US\$)	Number of Units* Quantity	Estimates (US\$)
Objectives		Support to SG's Office in the interpretation and strengthening of relations with Francophone Partner States					
Consolidated fees for Expert on interpretation and strengthening relations with Partner States	GIZ	2240108	Consultancy Fees & Reimbursable	Monthly	3,000	6	18,000
Objectives		Support to SG's Office in translation for relations with Francophone Partner States					
Consolidated fees for Expert in translation for strengthening relations with Francophone Partner States	GIZ	2240108	Consultancy Fees & Reimbursable	Monthly	2,500	6	15,000
	GIZ	2230102	Air ticket/Mileage –	Person Trip	500	20	10,000
	GIZ	2230115	DSA or ¼ Delegates/Consultant	Person Night	200	32	6,400
	GIZ		Event facilitation	Unit	500	10	5,000
GRAND TOTAL							96,400

The Council adopted a Supplementary Budget for FY2022/2023 amounting to USD 96,400 funded by GIZ to facilitate provision of consultancy services by the Media Relations Expert, Project Assistant, Interpretation Expert and French Translation Expert for the Office of the Secretary General and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 39).

n) Request for Retrospective Approval of Supplementary Budget for the EAC Covid 19 Regional Response Funded By AFDB.

The Council was informed that in May 2020, the African Development Bank (AfDB) committed to support the EAC and IGAD through a regional project named the “Multinational COVID-19 Response in East Africa, The Horn of Africa and Union of The Comoros”. Under that project, the AfDB provided funds jointly to the EAC, IGAD, the Horn of Africa and Union of the Comoros to support the COVID -19 response.

The budget consisted of three components namely: containing the spread of COVID-19, strengthening regional coordination and surveillance and support Project management Operational cost (Audit and M&E).

The 47th Extra - Ordinary Meeting of the Council of Ministers held in June 2022 approved the Supplementary budget for this project. However, the EAC Secretariat was not able to implement the activities under this project due to procedural technicalities coupled with the lapse of time (i.e., support was provided in May 2020

yet there was need to seek for a no-objection from the AfDB to adjust the budget and align to the updated Covid 19 response protocols. The no- objection was granted late).

The Council was further informed that the programme is winding up on the implementation of its activities by end of December 2022 and the project management, is seeking a retrospective approval to allow implementation of the remaining activities within the timeframe required by the AfDB. A summary of the Funds is here below:

Description	Amount in (USD)
The total grant for EAC amounts to and	653,341
The amount disbursed to EAC so far	<u>653,341</u>
Less: amount spent	287,864
 Add: Fund Balance B/F C/f as at 30.06.2022	 365,436
Cash available for Implementation	<u>365,477</u>
In the FY 2022/2023	

Therefore, the fund available to support Implementation during the no cost extension period from July 2022 to December 2022 is USD **365,477**.

Table F38: MTEF for Health Sector activities funded by AFDB for Covid-19 emergency response 2022

Cost Centre: 140203	Health Services						
Objectives							
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
M2R13T1901S20 Convening regular coordination meetings of the EAC COVID-19 Coordination Committee activities	AfDB	2210508	Other Logistics (Airtime, Coordination staff)	Per person	150	10	1,500
		2210508	Other Logistics (Zoom Subscription)	item	1000	6	6,000
		2900201	Computer Equipment (gadgets for Hybrid meetings)	item	4730	2	9,460
							16,960
Sub Total		2210508	Other Logistics (Vehicle hire & Fuel)	Person trip	500	10	5,000
M2R13T1901S021 Training of Border Agencies on SOPs and COVID -19 tracking system, cross-border screening, active	AfDB	2230101	Air-Ticket for staff	Person trip	500	8	4,000
		2210508	Other Logistics (Printing and Photocopying)	Per day	50	20	1,000
		2230114	DSA	Person	350	6*4=24	8,400

Cost Centre: 140203	Health Services						
Objectives							
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
surveillance, and case detection			Professional Staff	night			
		2230115	Daily Subsistence Allowance (DSA)-Delegates	Persons night	350	6*4=24	8,400
		2210505	Conference Costs	Person days	35	(8+18) *5	4,550
							31,350
Sub Total		2210508	Other Logistics (Covid tests)	Lump-sum	44,783	1	44,783
M2R13T1901S022 Provision of protective gear for Border agencies and health facilities in border areas	AfDB	2900401	Intangible Fixed Assets (Software)	Lump-sum	65,000	1	65,000
Development of Vaccination Module as part of EAC Pass		2230115	DSA 1/4 Delegates	Per person	50	14*2*5=140	7,000
Training on the Use of Command monitoring Centres in EAC Partners		2230114	DSA Professional Staff	Person Night	350	9*5=45	15,570
		2230101	Air-Ticket for staff	Person Trip	500	2*9=18	9,000
		2210505	Conference costs	Person days	35	(8+14)=22* *2*3=132	4,620
		2210508	Other Logistics	Lumpsum	3,006	1	3,616
Sub-Total							149,589
M2R13T1901S023 Hardware and software and training to implement Digital Covid-19 Surveillance Tracker in EAC for tracking crews, support travellers (EACPass) and improved data sharing & decision making at RECs and member states	AfDB	2210508	Other Logistics (Hosting EAC Pass)	Lumpsum	50,000	1	50,000
	AFDB	2230114	DSA Professional Staff	Person night	350	6*4=30	8,400
		2230101	Air-Ticket for Staff	Person trip	500	=4*2	4,000
		2210505	Conference Costs	Person Days	35	= (6+13) *4	2,600
Sub Total							65,000
Project Management M2R13T1901S024		2240108	Consultancy Fees	Man days	500	20	10,000

Cost Centre: 140203	Health Services						
Objectives							
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
Project Audit by December 2022							10,000
			Other Logistics (Printing, Photocopying, etc.)	Per day	275	5	1,228
Sub-Total		2210508					
M&E operational costs by April 2022		2210508	Other Logistics (Covid tests)	Per person	150	(6+18) =24	3,100
		2230114	Daily Subsistence Allowance (DSA)- Staff	Person night	350	10*7=70	24,500
		2230115	Daily Subsistence Allowance (DSA)- Delegates	Person night	350	3*6*6=90	37,800
		2230101	Air ticket for EAC Staff	Person Trip	500	=8*2	8,000
		2230102	Air ticket for EAC Delegates	Person Trip	500	4*6=24	12,000
		2210505	Conference Costs	Person days	35	(10+24)*5=104	5,950
Sub-Total							92,578
GRAND TOTAL							365,477

The Council retrospectively adopted a Supplementary Budget for FY2022-2023 amounting to USD 365,477 funded by AfDB to facilitate the emergency activities of COVID-19 related activities and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 40).

o) Request for Retrospective Approval of the Supplementary Budget for the Capacity Building donation funded by the Embassy of the Peoples' Republic of China

The Council was informed that due to budget constraints, the approved budget for the Election Observation Mission in Kenya August, 2022 under the Political Affairs was not sufficient to cater for election observer's capacity building. Therefore, the Secretariat mobilized funds from Development Partners to mitigate the funding gap.

The Council was requested to retrospectively consider MTEF for Political Affairs for funds used to facilitate EAC Election Observer Mission in the Republic of Kenya.

Table F39: MTEF for Activities funded by Chinese Funds

MTEF code & Description of Activity	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Input	Number of Units *Qty .	Total (USD)
150101 Deployment of the EAC-EOM Short Term Mission in Kenya		2230114	Per Diem Executive Staff	Person Night	450	7	3,150
		2230114	Per Diem Executive Staff	Person Night	400	7	2,800
		2230114	Per Diem Professional Staff	Person Night	350	96	33,600
		2230114	Per Diem General Staff	Person Night	250	48	12,000
		2230114	Per Diem General Staff	Person Night	250	35	8,750
		2230114	Per Diem General Staff	Person Night	250	5	1,250
		2230115	Per Diem Head of Mission	Person Night	450	12	5,400
		2230115	Per Diem Members	Person Night	400	60	24,000
		2230115	Per Diem Delegates (Assist HOM)	Person Night	350	204	50,050
		2230115	Per Diem Delegates (Close Protection)	Person Night	250	24	6,000
		2240108	Experts Fees (Consultancy)	Lumpsum	500	5	2,500
		2210508	Other Logistics,	Lumpsum	500	1	500
Subtotal							150,000
110101 Trainings / capacity building in diplomacy, leadership, and other identified skills		2210508	Other Logistics,	Lumpsum			2,000
		2230114	Per Diem General Staff	Person Night	350	20*4	28,000
		2230101	Air ticket staff	Person trip	500	20	10,000
			Per Diem G- Staff	Person Night	250	4*2	2,000
		2210501	Participation fees	lumpsum			8,000
Sub total							50,000
Total							200,000

The Council retrospectively adopted a Supplementary Budget of USD 200,000 for the Financial year 2022/23 funded by the Embassy of the People's Republic of China to support Capacity building on election observer mission and EAC capacity building activities and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 41).

p) Request for Retrospective Approval of a Supplementary Budget to Support EAC Youth Election Observer Mission in the Republic of Kenya

Table F40: MTEF for Activities funded by Swiss Federal Department of Foreign Affairs

MTEF code & Description of Activity	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Input	Number of Units *Qty	Total (USD)
150101 Deployment of youth ambassadors for the EAC-EOM Short Term Mission in Kenya	Swiss Federal Department	2230110	Accommodation and meals for Youth Ambassadors	Person Night	190	117	22,230
		2230102	Air tickets	Ticket Person	500	10	5,000
		2230102	Air tickets Domestic	Ticket Person	300	10	3,000
		2210508	Other Logistics, Travel Insurance, Covid-19 Airtime	Lumpsum	3650	1	11,504
		2210508	Hire of Ground Transport	Day	250	25	6,250
Total							47,984

The Council adopted a Supplementary Budget for the Financial Year 2022/23 amounting to USD 47,984 to be funded by the Swiss Federal Department of Foreign Affairs to support facilitation of youth election observer mission in the Republic of Kenya, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 42).

q) Request for Supplementary Budget Funded by the EAC-RNPHRL - CD Project

The Council was informed that the EAC Secretariat with funding from the federal Government of Germany through the German Development Bank (KfW), has been implementing the EAC Regional Network of Public Health Reference Laboratories for Communicable Diseases (EAC – RNPHRL) project in the 06 EAC Partner States since 2017. Under Phase I, the project focused on strengthening the capacity of Partner States to detect and respond to pathogens of biosafety level 3 and 4 natures. Phase II which was launched in June 2021, aims at strengthening Antimicrobial Resistance (AMR), surveillance and response capacities to further prepare EAC region for future and current health emergencies.

The EAC Secretariat under the EAC Mobile Lab Project plans to fulfill pending procurement obligations during the FY2022/23 including.

- a) Procurement of Mobile Laboratory Vehicle to facilitate implementation of project activities.
- b) Procurement and Installation of ICT/WEBEX and Video-presence facilities.
- c) Supplies for Field missions using modular Laboratories

The said procurements were budgeted in the FY2021/22 but due to the delay in procurement process, the payments have not been concluded thus the need for additional budget. The breakdown of the requested additional budget for Financial Year 2022/2023 is presented in the Table below:

Table F41: MTEF Health activities funded by (KFW)

Cost Centre:		Health Department					
140203							
Objectives	M5K						
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates (USD)
M2R13T1901S33 Contingency fund - Procurement of lab equipment & Logistics	KFW2- Government of Germany	2210508	Vehicle	Unit	50,000	1	50,000
Procurement and Installation of ICT/WEBEX and Video-presence facilities	KFW2- Government of Germany	2210508	Online Conference Room System and Smart Board (ICT /WEBEX)	Lumpsum	30,000	6	180,000
M2B07T0201A0905 Supplies for Field missions using modular Laboratories	KFW2- Government of Germany	2210508	Laboratory Consumables	Lumpsum	200,000	1	200,000
Total							430,000

The Council retrospectively adopted a Supplementary Budget for the Financial Year 2022/2023 amounting to USD 430,000, funded by the Government of the Federal Republic of Germany through the German Development Bank (KfW) to support Public National Health Laboratories in the Partner States, and forwarded the same to the East African Legislative Assembly (EALA) for debate and approval (EAC/CM 43/ Decision 43).

r) Request for a Supplementary Budget for EAC Oversight Cross Cutting Support Costs for USAID Funded Projects

The Council will be informed that in furtherance of the partnership between USAID and EAC and achievement of the mutually agreed upon development objectives set forth in the Regional Development Objective Agreement Grant [RDOAG] signed between the two parties in September 2016, two cross cutting positions have been set

forth to coordinate the programmatic and financial aspects of the projects support throughout the RDOAG period.

Specifically, in order to ensure that the partnership yields the desired results and is sustained, USAID under Implementation Letter [IL] No. IL 623-IL-19-EAC-XCUT-ASPA-1, signed at first in October 2020, set forth a total Grant of USD 157,303 to support the position of the Liaison Officer and Accounts Assistant to serve as the focal point for USAID/KEA initiatives under the EAC-USAID strategic partnership and handling all financial management respectively. In October 2021, the USAID signed an Amendment 1 but only for a purpose of extending the deadline of original IL from September 2021 to February 2022.

In February 2022, the USAID signed another Amendment 2, IL No 623-IL-19-EAC-XCUT-ASPA-1, Amendment 2, by adding USD 96,771 to the original Budget leading to a Total Budget of USD 254,074 but also extended the implementation deadline from March to November 2022.

The Council was requested to approve a supplementary budget of USD 96,771 to support the oversight program liaison and financial management functions under USAID funded projects.

Table F42: MTEF Budget for Cross Cutting Unit under the USAID Support to EAC Project

COST CENTER: 120101 HUMAN RESOURCES DEPARTMENT								
OBJECTIVES	M5							
MTEF & Activity Description	Funding Source	Accounts code	Description of Inputs	Unit Measure	Number of units	Unit cost	Frequency	Estimates
To retain Staff under USAID Support EAC Project - A Cross Cutting Unit: EAC/USAID Liaison Officer [P2] and Accounts Assistant [G5]	US01	2110101	Basic Salary - Staff	Month	2	2,583	9	46,496
		2120101	Housing Allowance - Staff	Month	2	700	9	12,600
		2120201	Transport Allowance - Staff	Month	2	200	9	3,600
		2120605	Overtime - General Staff	Month	1	0	9	-
		2140101	Medical Cover - Staff	Annual	2	3,800	1	5,700
		2140201	Life Insurance - Staff	Annual	2	895	1	1,790
		2140501	Gratuity - Staff	Month	2	645	9	11,628
		2710101	Education - Staff	Annual	2	3,000	1	6,000
		2710201	Spouse Allowance - Staff	Annual	2	250	1	500
			TOTAL					88,314

Table F43: MTEF Budget for cross cutting activities for USAID Support to EAC Project

COST CENTER: 1101061		RESOURCE DEPARTMENT	MOBILIZATION					
OBJECTIVES	M5							
MTEF & Activity Description	Funding Source	Accounts code	Description of Inputs	Unit Measure	No. of units	Unit cost	Frequency	Estimates
To Facilitate Administration, Coordination, Communication and Office Maintenance of the USAID Support to EAC Project - Cross Cutting Unit Staff	US01	2210505	Hiring of conference facilities	Person-Day	1	35	11	385
		2230114	Per diem staff	Person-Day	1	350	11	3,850
		2230101	Air tickets staff	Person-Trip	1	500	3	1,500
		2900204	Other Office Equipment	Annual	1	1,000	1	1,000
		2210200	Tele/Communication Services	Month	1	150	12	1,800
			TOTAL					8,535

The Council retrospectively adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 96,849 funded by USAID Support to EAC Project to facilitate program liaison and financial management functions under USAID projects, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 44).

s) Request for Supplementary Budget for the East African Community Competition Authority (EACA)

Mid-year review and evaluation of the EAC Competition Authority Strategic Plan 2019/20 - 2023/24

The EACA developed its Strategic Plan 2019/20 - 2023/24. The Strategic Plan was a product of extensive consultations and input from Partner States and sets out key priorities for effective realization of the objectives of the EAC Competition Act, 2006 and alignment with the broader strategies and policies of the EAC as a whole. The Council adopted the EACA Strategic Plan 2019/20 - 2022/23 (EAC/EX CM381 Decision 105).

The Council was informed that the Strategic Plan provides for a mid-term review which should be undertaken at the halfway mark of the strategy implementation period (around 30 – 32 months). The review is important to enable EACA assess its performance against its strategic goals and objectives, reflect on its achievements and

gaps, identify challenges that hindered the effective implementation of the Strategic plan, re-examine its Strategic goals and align them with the 6th EAC Development Strategy, and as well as provide for emerging trends and issues within the Community, at the continental level and internationally. Therefore, the EACA will request for a supplementary budget to undertake a mid-term review and evaluation of the Strategic Plan.

Experts meeting to consider EAC Competition (Mergers and Acquisitions) Assessment Guidelines

The EAC Competition Act, 2006 (the Act) grants the Authority the power to issue guidelines on the processes or procedures of the Authority. Premised on this, the EACA developed draft EAC Competition (mergers and acquisitions) Assessment Guidelines, 2022 (Guidelines). The Guidelines covers general description of assessment, the methodology for reviewing a merger and acquisition, from the pre-notification stage until a determination is made. The objectives of the Guidelines are to: –

- a) equip businesses and their legal representatives with information on how the Authority will review notified transactions and conduct its competition assessment within the meaning of the Act and make a determination as to whether a merger or acquisition should be given approval, rejection, or approval with conditions.
- b) clarify the position of the Authority on how the conceptual frameworks or legal and economic tests are applied to the evidence gathered by the Authority; and
- c) Highlight how the assessment of the provisions on mergers and acquisitions under the Act are aligned with international best practice even as the Authority gives equal consideration to the community factors.

The draft Guidelines were considered by Partner States experts at a meeting held in April 2022. The experts directed the Authority to incorporate their comments, submit the revised Guidelines to Partner States for their reconsideration and convene a meeting to finalise development of the Guidelines.

The Guidelines are very instrumental in facilitating implementation of the Act. The Authority therefore requests the Council for funds to finalize development of the Guidelines.

Activities on commencement of Mergers and Acquisition Notifications to EAC Competition Authority.

The Council was informed that the 13th EAC Competition Authority meeting held on 6th – 8th September 2022 considered a roadmap to commence enforcement of the EAC Competition Act, 2006. The Commissioners noted that enforcement of the Act was delayed due to gaps identified in the EAC competition legal framework and human

resource constraints experienced by the Authority. Towards this end, the Authority has addressed some of the constraints by developing policy documents, EAC Competition (Amendment) Bill, 2021, Regulations and guidelines which will facilitate enforcement of the Act. Furthermore, the meeting noted that currently, the Authority has a total of four staff, three of whom are technical.

The Commissioners considered the proposed roadmap aimed at actualizing the EAC Competition Act and made the following observations:

- a) the commencement of the merger regime entails engaging the Partner States for appreciation and prioritization;
- b) Operationalization of the merger regime requires involvement of many stakeholders since institutional interaction is critical to facilitate implementation;
- c) It is critical to sensitize stakeholders on the merger regulations, notification fees and merger notification thresholds;
- d) The Act requires progressive implementation of non-contradictory provisions.

Given the importance of undertaking the above activities, the Authority requests for a supplementary budget from the Council for additional funds to enable it conduct national sensitization activities to enable commencement of the merger regime. The detailed MTEF of USD**64,600** to undertake the above activities is presented in the table here below as a request for Supplementary Budget in FY 2022/23:

Table F44: MTEF for Activities of the EAC Competition Authority

Cost Centre: 1110101		Mergers & Acquisitions State aid Department					
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates (USD)
Mid-year review and evaluation of the EACA Strategic Plan 2019/20220 – 2023/24	General Reserve Fund ZG01	2210505	Hiring of Conference Facilities	Person Day	30	60	1800
		2210508	Logistics for Meeting	Per day	100	4	400
		2230114	DSA Full or 1/4 Executive Staff	Person Night	400	5	2000
		2230114	DSA Full or 1/4 Staff	Person Night	350	35	12,250
		2230115	DSA Full or 1/4 DSA Delegates	Person Night	350	10	3500
Sub Total							19,950
M1A09T0101C01 Experts meeting to consider the EAC Competition (Merger and Acquisition) Assessment Guidelines	General Reserve Fund ZG01	2210505	Hiring of Conference Facilities	Person Day	30	100	3000
		2210508	Logistics for Meeting	Per day	100	4	400
		2230101	Air Ticket EAC-Staff/Incl Mileage	Person Trip	500	3	1500

Cost Centre: 1110101	Mergers & Acquisitions State aid Department						
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates (USD)
		2230101	Air Ticket EAC Executive Staff/Incl Mileage	Person Trip	1000	1	1000
		2230102	Air Ticket / Mileage - Delegates	Person Trip	500	14	7000
		2230114	DSA Full or 1/4 Executive Staff	Person Night	400	5	2000
		2230114	DSA Full or 1/4 Staff	Person Night	350	15	5250
		2230115	DSA Full or 1/4 DSA Delegates	Person Night	350	70	24,500
Subtotal							44,650
Grand Total							64,600

The Council adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 64,600 to be funded from the EAC General Reserve Fund to facilitate activities of the East African Competition Authority, and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 45).

t) Request for Supplementary Budget for The East African Health Research Commission (EAHRC)

The East African Health Research Commission (EAHRC) is an Institution of the East African Community (EAC) established by the 5th Extra-Ordinary Summit of the EAC Heads of State on 18th June 2007. The vision of the Commission is a healthy and prosperous community built on evidence-driven policy and practice, which emanate from high quality research.

The EAC recruitment exercise (interview stage) commenced in September 2021. Due to the large number of advertised positions the panel was forced to pend the profiling process for some of the positions. *“The Council directed the Secretariat to ringfence for the Republic of South Sudan eleven (11) vacant positions out of the fifteen (15) positions that are yet to be shortlisted as an affirmative action in the EAC recruitment process” (EAC/CM 41/Directive 50).*

The Council was informed that out of the 11 vacant positions, 02 were for EAHRC and the associated budget was provided in FY2021/2022. The interview process was concluded on 16th September 2022, and it is expected that by Quarter 3 of

FY2022/2023 appointments will have been concluded and the new staff will be reporting.

“The 47th Extra-Ordinary Meeting of the Council directed the EAC Secretariat, Organs and Institutions to facilitate all newly recruited G5 and G4 staff with resettlement allowance and grant them home leave pursuant to the EAC Staff Rules and Regulations, with effect from 5th April 2022”. (EAC/EXCM 47/Directive 18).

The EAHRC budget for FY2022/2023 included the recruitment of one G5 Staff. However, the budget did not cater for the settlement allowance for that staff. In addition, the new EAHRC Executive Secretary reported on duty on 2nd May 2022 but was recalled. This position is currently vacant. It is expected that recruitment processes may resume and conclude in FY2022/2023 hence the need to budget for the costs associated with this.

The new staff coming on board will be housed at the EAHRC HQ Annex area due to space limitation. Due to budget constraints, at the onset when EAHRC was relocating to Bujumbura only bare minimum assets were required. With the new staff coming on board, there is need for acquisition of Air Conditioners for all the EAHRC offices currently lacking this to provide a conducive working environment given the hot temperatures in Bujumbura. In addition, the Local Area Network was yet to be installed in the EAHRC HQ Annex area.

Around September 2020, the Commission started facing a number of challenges with its communication equipment that was acquired in 2017 and this has not been resolved to date. Hence the phones and video conferencing facility at the HQ are not operational. In April 2022, with support from ICT expert EAC-SEC, the Commission established that the CISCO software currently in use had become obsolete, and CISCO is no longer supporting that version. Based on this the Commission has to do a complete overhaul for the communication equipment.

The EAHRC sought a supplementary budget from the Council as presented in the Table below:

Table F45: MTEF EAHRC Supplementary Budget

Cost Centre: 090101 EAST AFRICAN HEALTH RESEARCH COMMISSION							
Objectives	M2B						
MTEF & Activity description	Funding Source	Account Code	Description	Unit of Measure	No. of Units	Unit Costs	Value USD
M2B21T0102C0105	ZP01	2130101	Furniture- Executive Staff (For Executive Secretary)	One Off	1	15,000	15,000
		2710501	Settlement Allowance (Executive Secretary)	One Off	1	27,000	27,000

Cost Centre: 090101 EAST AFRICAN HEALTH RESEARCH COMMISSION							
Objectives	M2B						
MTEF & Activity description	Funding Source	Account Code	Description	Unit of Measure	No. of Units	Unit Costs	Value USD
To pay monthly Staff Emoluments & other annual, one-off allowances	ZPHC91017	2710501	Settlement Allowance (Senior ICT & Procurement Officer)	One Off	2	23,625	47,250
		2710601	Settlement Allowance (Accounts Assistant)	One Off	1	16,875	16,875
		2710601	Other Benefits (Transportation of Personal Effects for ES, Senior ICT & Procurement Officer)	One Off	1	5,000	15,000
Subtotal							121,125
M2B21T0102S0112	ZP01	2900201	Computer Equipment (Back up UPS APC 10 KVA)	Piece	1	6,840	6,840
Acquisition of EAHRC Assets	ZPHC91018	2900201	Computer Equipment (Replacement of Batteries for APC 15 KVA UPS)	Piece	64	15	960
			LAN Installation Costs - Annex	One Off	1	5,550	5,500
Subtotal							13,300
GRAND TOTAL							134,425

The Council adopted a Supplementary Budget for FY2022/2023 amounting to USD 134,425 to be funded from the EAC General Reserve Fund to facilitate, new established staff at East African Health Research Commission Headquarters, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 46).

u) Request for Supplementary Budget for the East African Science and Technology Commission (EASTECO)

Purchase of a Vehicle for the Executive Secretary of EASTECO

The Council recalled that at its 47th Extra-Ordinary meeting, the Council appointed Dr. Sylvane Okeyo Okoth as Executive Secretary for East African Science and

Technology Commission (EASTECO). Clause 4(vii) of his appointment letter provides that the ES is entitled to a Chauffeur-driven car, not exceeding 4,500 cc which will be handed to the Commission on separation from service.

Currently EASTECO does not have a functional Vehicle for use by the Executive Secretary. The Vehicle, with particulars MITSUBISHI PAJERO, Chassis No: JMYLNV96WFJ000655; Engine No: 4M40215HP1873; Model 215 Right hand-drive; Registration No. TCD585EAC; was procured when the Commission started its operations in 2015 at its Headquarters in Kigali, Rwanda. The vehicle was procured by the EAC Secretariat in Arusha, Tanzania on behalf of the East African Science and Technology Commission to facilitate the EASTECO Executive Secretary.

However, in line with Rwanda's policies on temporarily importation of Foreign Vehicles, the vehicle was required to exit Rwanda every three months to regain entry under temporary importation status. To deal with this problem, EASTECO de-registered the vehicle in Tanzania in 2020 with the aim of registering it in Rwanda as the Host Country. During the process of registration, it was realized that the laws of Rwanda on fleet management prohibits importation and registration of Right-hand drive vehicles. In addition, the EASTECO Board of Survey, while assessing assets in the Council, recommended for the disposal of the said vehicle on grounds of age.

It is against this background, that EASTECO requested for a supplementary budget amounting to USD 100,000 to be drawn from EAC General Reserve to purchase a vehicle for the Executive Secretary and cater for other transactional costs during the procurement process as follows:

Table F46: MTEF budget for Purchase of New Vehicle for EASTECO

S/N	MEETING	Amount in USD
1.	New VX Toyota Land cruiser	97, 000
2.	Advertisement in Seven major papers of EAC Partner States	2,000
3.	Tendering costs and registration	1,000
	Total	100,000

The Council adopted a Supplementary Budget for Financial Year 2022/23 amounting to USD 100,000 to be funded from EAC General Reserve to purchase a new vehicle for the Executive Secretary of EASTECO, and forwarded the same to the East African Legislative Assembly for debate and approval (EAC/CM 43/ Decision 47).

v) Request for Supplementary Budget for the Consultancy to conduct terminal evaluation of the 1st EASTECO Strategic Plan 2017-2021 and to develop the 2nd EASTECO Strategic Plan 2022-27.

The Council recalled that at its 35th Meeting, the Council approved the 1st EASTECO Strategic Plan (2016/2017-2021/2022) which has guided the operations of the Commission for the past five years. The implementation period of the Strategic Plan ended on 30th June 2022. The Commission commenced the development of the 2nd Strategic Plan and the terminal evaluation of the 1st Strategic Plan.

Council was informed that the Commission engaged a consultant on May 20th Contract Number: EAC/ESTECO/RFPs/003/2022 for a period of 120 days. To date, the consultant has submitted the inception report, the Partner States consultation report for both the terminal evaluation of the 1st EASTECO strategic Plan and for the development of the 2nd EASTECO Strategic Plan. The activities on the development of the draft terminal evaluation report and the draft Strategic Plan were commenced and are ongoing, as the process has taken longer than was originally anticipated. It is projected that the final draft reports from the consultant will be submitted in mid-October 2022 in readiness for stakeholder validation workshop in November 2022.

The Commission was therefore not able to fully utilize the previously approved funds to implement the activity as anticipated. The funds for this activity were approved for the FY 2021/2022 and were duly transferred to the Commission from the General Reserve Fund. But since the FY ended 30th June, 2022, that appropriation ended with the financial year in which it was approved and hence the Commission could not utilise the same funds to complete the process, as per the provisions of the EAC Financial Rules and Regulations, 2012.

The Commission requested the Council for a supplementary budget for the remaining activities that need to be rolled to the FY 2022/2023 as presented in the MTEF below:

Table F47: MTEF budget for the 2nd EASTECO Strategic Plan

Cost Centre: 0701010 East African Science and Technology Commission							
Objectives							
MTEF & Activity Description	Funding Source	Account s Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* &	Estimates
M2B17T0401S06 01 Hire a consultant to develop the 2nd EASTECO Straegic Plan	General reserve ZG01	2240108	Consultancy Fees & Reimbursable	Person-Day	500	60	30,000
		2230102	Air ticket/Mileage - Delegate/Cons ultant	Person Trip	500	8	4,000
TOTAL							34,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 34,000 funded from General Reserve Fund to facilitate the development of the 2nd EASTECO Strategic Plan, and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 48).

w) Request for Supplementary Budget to procure a vehicle for Judges of the EACJ

The East African Court of Justice comprises two Divisions namely: the First Instance Division with six Judges and the Appellate Division with five Judges. The two Divisions hold their Sessions in alternate months save for the month of November when both Divisions hold sessions at the same time. Occasionally, the Court convenes extraordinary sessions to handle urgent matters. During Sessions, the Court hires executive vehicles to facilitate the Judges during their stay in Arusha. After conducting a cost benefit analysis on whether to hire or buy vehicles for utilization of Court during sessions, the EAC Audit and Risk Commission in the year 2017 recommended that it is cost effective to purchase vehicles for Judges rather than hire. This recommendation was tabled before the EAC Council of Ministers who directed the Court to procure six vehicles progressively for three years. The EACJ has so far procured three Toyota Land Cruiser Station Wagon during FY2018/2019 and FY2019/2020. In the subsequent financial years, the Court has not managed to procure vehicles due to low disbursement of funds by Partner States.

The Court intends to procure a vehicle (Land cruiser Station Wagon) during the FY2022/2023 at an estimated cost of one hundred thousand USD100,000.

The Council adopted a Supplementary Budget for the Financial Year 2022/2023 amounting to USD 100,000 to be funded from the General Reserve Fund to facilitate the East African Court of Justice to procure a motor vehicle and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 49).

x) Request for a Supplementary Budget for the Inter-University Council for East Africa (IUCEA)

Eastern and Southern Africa Centres of Excellence (ACE II) Additional Financing

The ACE II Additional Financing Project is a World Bank Funded Project which supports the governments of two participating countries – Malawi and Mozambique to collectively scale-up the successful ACE II model to further build the region's capacity in providing high-quality postgraduate training as well as applied research in the field of Agriculture.

The ACE II AF project will implement three components: (i) strengthening the capacity of selected higher education institutions to deliver quality postgraduate education in agriculture in the republics of Malawi and Mozambique (US\$ 60 million); (ii) providing capacity building support to ACEs through regional activities as well as supporting coordination and management (US\$10 million).

The 2nd and the 3rd components of the ACE II AF will be implemented by the Inter-University Council for East Africa for the period of 3.5 years starting with the 2022/2023 financial year. The current budget of US\$2,868,510 for the F/Y 2022/2023 will focus on the following objectives:

- a) Scholarships awarded to 60 young female students enrolled in a master's degree program in Agriculture ACEs in Eastern and Southern Africa region;
- b) Capacity development of ACEs to achieve the PDO;
- c) University-Private Sector engagement framework operationalized;
- d) One Agricultural Policy Think-Tank established and operationalized;
- e) Six (6) ACEs supported to establish and operate Business Incubation Centres (BICs);
- f) ACEs (6) under AF are supported to deliver quality teaching and applied research in agriculture;
- g) ACEs (6) under AF are provided with TA in resource mobilization;
- h) ACEs (6) under AF are provided with TA to strengthen their research data and knowledge management systems.

Table F48: MTEF FOR ACEII PROJECT FUNDED BY WORLD BANK

MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty *	Estimates
M2B10T0101C0104 Call for applications	WB01	2210309	Advertising	Advertising-page	1,600	10	16,000
Sub Total							16,000
M2B10T0101C0105 Selection of students 6 staff,5 panellists	WB01	2230115	DSA Delegates	Person night	350	36	12,600
	WB01	2230114	DSA Staff	Person night	350	30	10,500
	WB01	2230226	Visa Fees	Person trip	100	2	200
	WB01	2240104	Sitting Allowances for Panellists	Person days	200	60	12,000
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	2,900	1	2,900

	WB01	2210503	Conference	Person days	30	60	1,800
	WB01	2230102	Air tickets committee members	Person trip	1,000	6	6,000
	WB01	2230101	Air tickets (Staff)	Person trip	500	6	3,000
	WB01	2210401	Hire of vehicle	event	200	5	1,000
Sub Total							50,000
M2B10T0101C0106 Capacity building for ACEs	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
Sub Total							5,000
M2B10T0101C0107 Train Project Implementation Teams to perform M&E activities as required with 17 participants	WB01	2230102	Air tickets (facilitator)	Person trip	500	2	1,000
	WB01	2230101	Air ticket (staff)	Person trip	500	7	3,500
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230115	per diem for Experts	Person nights	350	12	4,200
	WB01	2230114	Staff per diem	Person nights	350	42	14,700
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	250	1	250
	WB01	2210503	Conference package and Venue	Person days	30	85	2,550
Sub Total							27,000
M2B10T0101C0108 Train PITs/ACEs on the IDA procurement regulations and procedures with 17 participants	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	2	1,000
	WB01	2230101	Air ticket (staff)	Person trip	500	7	3,500
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230115	per diem for Experts	Person nights	350	12	4,200
	WB01	2230114	Staff per diem	Person nights	350	42	14,700
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	250	1	250
	WB01	2210503	Conference package and Venue	Person days	30	85	2,550
Sub Total							32,000

M2B10T0101C0109 Train PITs/ACEs on the requirements for accrediting programmes at various levels with 17 participants.	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	2	1,000
	WB01	2230101	Air ticket (staff)	Person trip	500	7	3,500
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230115	per diem for Experts	Person nights	350	12	4,200
	WB01	2230114	Staff per diem	Person nights	350	42	14,700
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	250	1	250
	WB01	2210503	Conference package and Venue	Person days	30	85	2,550
Sub Total							32,000
M2B10T0101C0110 Train PITs/ACEs in Financial Management with 17 participants.	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	2	1,000
	WB01	2230101	Air ticket (staff)	Person trip	500	7	3,500
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230115	per diem for Experts	Person nights	350	12	4,200
	WB01	2230114	Staff per diem	Person nights	350	42	14,700
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	250	1	250
	WB01	2210503	Conference package and Venue	Person days	30	85	2,550
Sub Total							32,000
M2B10T0101C0111 Conduct training on project communication with 17 participants.	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	2	1,000
	WB01	2230101	Air ticket (staff)	Person trip	500	7	3,500
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230115	per diem for Experts	Person nights	350	12	4,200
	WB01	2230114	Staff per diem	Person nights	350		14,700

						42	
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	250	1	250
	WB01	2210503	Conference package and Venue	Person days	30	85	2,550
Sub Total							32,000
M2B10T0101C0112 Conduct leadership and management training for VCs, Deans and Centre Leaders with 34 participants.	WB01	2240108	Consultancy Fees for Expert	Man day	500	20	10,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	4	2,000
	WB01	2230101	Air ticket (staff)	Person trip	500	14	7,000
	WB01	2230226	Visa Fees	Persons	100	16	1,600
	WB01	2230115	per diem for Experts	Person nights	350	24	8,400
	WB01	2230114	Staff per diem	Person nights	350	84	29,400
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	500	1	500
	WB01	2210503	Conference package and Venue	Person days	30	170	5,100
Sub Total							64,000
M2B10T0101C0113 Training of ACEs on research supervision and pedagogy, Environmental and social safeguards with 17 participants	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
	WB01	2230102	Air tickets (facilitator)	Person trip	1,000	2	2,000
	WB01	2230101	Air ticket (staff)	Person trip	600	8	4,800
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230115	Accommodation for Experts	Person nights	350	10	3,500
	WB01	2230114	Staff per diem	Person nights	350	40	14,000
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	500	1	500
	WB01	2210401	Inland transport	Person days	70	40	2,800
	WB01	2210503	Conference package and Venue	Person days	35	200	7,000
Sub Total							40,400

M2B10T0101C0114 Operationalization of university-private sector engagement framework	WB01	2240108	Consultancy Fees for Expert	Man day	500	10	5,000
	WB01	2230102	Air tickets (facilitator)	Person trip	1,000	2	2,000
	WB01	2230101	Air ticket (staff)	Person trip	600	3	1,800
	WB01	2230226	Visa Fees	Persons	100	8	800
	WB01	2230102	Air tickets for Agencies Staff	Person trip	600	4	2,400
	WB01	2230115	Accommodation for Experts	Person nights	350	3	1,050
	WB01	2230114	Staff per diem	Person nights	350	9	3,150
	WB01	2210401	Hire of transport	man day	100	5	500
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	1,000	1	1,000
	WB01	2210503	Conference package and Venue	Person days	30	210	6,300
Sub Total				-			24,000
M2B10T0101C0115 Develop a framework and ToRs for the think tank (agricultural think)	WB01	2240108	Consultancy Fees for Expert	Man day	500	22	11,000
Sub Total							11,000
Setting up library for operationalizing the think-tank.	WB01	2910208	Furniture	Lumpsum	15,000	1	15,000
Sub Total							15,000
M2B10T0101C0116 Meetings and workshops to discuss agricultural policies	WB01	2240108	Consultancy Fees for Expert	Man day	500	20	10,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	4	2,000
	WB01	2230101	Air ticket (staff)	Person trip	500	14	7,000
	WB01	2230226	Visa Fees	Persons	100	16	1,600
	WB01	2230115	per diem for Experts	Person nights	350	24	8,400
	WB01	2230114	Staff per diem	Person nights	350	84	29,400
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	1,000	1	1,000
	WB01	2210503	Conference package and Venue	Person days	30	287	8,610

	WB01	2210401	Hire of vehicles	event	200	5	1,000
	Sub-total						69,010
M2B10T0101C0117 Publication of policy briefs	WB01	2210301	Printing and Publishing Services	Copy	5,000	1	5,000
Sub Total							5,000
M2B10T0101C0118 Develop a framework and ToRs for the BICs;	WB01	2240108	Consultancy Fees for Expert	person days	500	10	5,000
Sub Total							5,000
M2B10T0101C0119 Selection (based on criteria in ToR) of 6 ACEs to host BICs.	WB01	2230114	Per diem panellists and staff	Person days	350	66	23,100
	WB01	2230226	Visa Fees	Person trip	100	2	200
	WB01	2240104	Sitting Allowances for Panellists	Person days	200	25	5,000
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	2,900	1	2,900
	WB01	2210503	Conference	Person days	30	60	1,800
	WB01	2230102	Air tickets committee members	Person trip	1,000	5	5,000
	WB01	2230101	Air tickets Staff)	Person trip	500	6	3,000
	WB01	2210401	Hire of vehicles	days	200	5	1,000
Sub Total							42,000
M2B10T0101C0120 Facilitation of business incubation and acceleration including linkages with private sector and investors.	WB01	2640102	Scholarships & Other Educational Benefits-Tertiary	Fee	150,000	6	900,000
Sub Total							900,000
M2B10T0101C0121 Preparation of concept notes and/or proposal for establishment of networks, training, and mentorships.			Consultancy fees	person days	500	10	5,000
Sub Total							5,000
M2B10T0101C0121 Conduct 2 regional training and	WB01	2230102	Air tickets (facilitator)	Person trip	500	8	4,000

mentorship events. With 85 participants	WB01	2230101	Air ticket (staff)	Person trip	500	14	7,000
	WB01	2230226	Visa Fees	Persons	100	2	200
	WB01	2230115	per diem for Experts	Person nights	350	96	33,600
	WB01	2230114	Staff per diem	Person nights	350	120	42,000
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	1,000	1	1,000
	WB01	2210503	Conference package and Venue	Person days	30	340	10,200
	WB01	2210401	Hire of vehicle	days	200	10	2,000
Sub Total							100,000
M2B10T0101C0122 ACEs (6) under AF are supported to deliver quality teaching and applied research in agriculture.	WB01	2240108	Consultancy Fees for Expert	Man day	500	36	18,000
Sub Total							18,000
M2B10T0101C0123 ACEs (6) under AF are provided with TA in resource mobilization.	WB01	2240108	Consultancy Fees for Expert	Man day	500	20	10,000
	WB01	2230102	Air tickets (facilitator)	Person trip	500	4	2,000
	WB01	2230101	Air ticket (staff)	Person trip	500	14	7,000
	WB01	2230226	Visa Fees	Persons	100	16	1,600
	WB01	2230115	per diem for Experts	Person nights	350	24	8,400
	WB01	2230114	Staff per diem	Person nights	350	84	29,400
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	1,500	1	1,500
	WB01	2210503	Conference package and Venue	Person days	30	170	5,100
Sub Total							65,000
M2B10T0101C0123 Revamp Data and knowledge Repository.	WB01	2240108	Consultancy Fees for Expert	Man day	500	20	10,000
Sub Total							10,000
M2B10T0101C0124 Develop entrepreneurship mentorship platform.	WB01	2240108	Consultancy Fees for Expert	Man day	500	50	25,000
Sub Total							25,000

M2B10T0101C0125 Develop networking and partnership platform.	WB01	2240108	Consultancy Fees for Expert	Man day	500	36	18,000
Sub Total							18,000
M2B10T0101C0126 Facilitate 2 Regional Steering Committee (RSC) Meetings of 15 members and 8 staff	WB01	2230102	Air tickets 13 RSC members from Africa	Person trip	800	26	20,800
	WB01	2230115	Accommoda tion RSC members	Person nights	350	90	31,500
	WB01	2230114	Staff per diem	Person nights	350	48	16,800
	WB01	2230101	Staff air ticket	Person trip	800	16	12,800
	WB01	2230102	Transit/milea ge allowance	Person trip	230	12	2,760
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Lumpsum	500	2	1,000
	WB01	2230102	Air tickets (USA) 2 RSC members from US	Person trip	2,300	4	9,200
	WB01	2210503	Conference package and Venue	Person days	30	64	1,920
	WB01	2240104	Allowances for RSC members	Person days	200	60	12,000
Sub Total							108,780
M2B10T0101C0126 Facilitate 2 Technical and advisory meetings with 32 participants	WB01	2230115	Accommoda tion RSC members	Person nights	350	78	27,300
	WB01	2230114	Staff per diem	Person nights	350	48	16,800
	WB01	2230101	Staff air ticket	Person trip	800	16	12,800
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Lumpsum	500	2	1,000
	WB01	2210503	Conference package and Venue	Person days	30	128	3,840
	WB01	2240104	Allowances for RSC members	Person days	200	52	10,400
Sub Total							72,140
M2B10T0101C0126 Recruitment of Staff	WB01	2210901	Advertising	Advertising- page	700	10	7,000
Sub Total							7,000

M2B10T0101C0127 Interviews of 5 panellists 12 candidates for 3 days	WB01	2230114	Per diem panellists and staff	person/days	350	44	15,400
	WB01	2240104	Sitting Allowances for Panellists	Person days	200	18	3,600
	WB01	2210508	Stationery/C ommunicatio n/contingenc y/printing		1,00 0	1	1,000
	WB01	2210503	Conference	Person days	30	36	1,080
	WB01	2230102	Air tickets committee members	person trip	1,00 0	6	6,000
	WB01	2230101	Air tickets candidates	Person trip	500	12	6,000
	WB01	2240101	Hire of vehicle	event	200	2	400
Sub Total							33,480
M2B10T0101C0127 Monitor and supervise ACEs, Technical support missions 6staff 1 Expert ,8 days per quarter	WB01	2230101	Air tickets for 6 Staff	Person Trips	500	24	12,000
	WB01	2230114	Staff and Expert per diem	Person days	350	224	78,400
	WB01	2230102	Air ticket for Expert	Person days	1,00 0	4	4,000
	WB01	2230226	Visa Fees	Persons	100	7	700
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Event	1,00 0	1	1,000
Sub Total							96,100
M2B10T0101C0128 Independent verification of project results	WB01	2240108	Consultancy Fees for Expert	Person days	1,00 0	100	100,000
Sub Total							100,000
M2B10T0101C0128 Organize 2 Regional meetings and conferences for networking and information sharing and discussions for 32 participants	WB01	2230101	Staff per diem	Person nights	350	48	16,800
	WB01	2230102	Participants per diem	Person nights	350	80	28,000
	WB01	2210508	Logistics for meetings (ushers, copying, Security)	Lumpsum	680	2	1,360
	WB01	2210503	Conference package and Venue	Person days	30	128	3,840
Sub Total							50,000

M2B10T0101C0128 Participate in agricultural regional meetings and conferences and exhibitions for 6staff			Air tickets for 8 Staff	Person Trips	500	32	16,000
			Staff per diem	Person days	350	128	44,800
Sub Total							60,800
M2B10T0101C0129 Purchase of office equipment.	WB01	2900201	laptops	Unit	2,000	4	8,000
	WB01	2900208	Furniture	Unit	1,000	4	4,000
	WB01	2900201	printers	Unit	1,500	2	3,000
Sub Total							15,000
M2B10T0101C0129 Upgrade of ACE2-Monitor/M&E portal	WB01	2240108	Consultancy fees	Lumpsum	20,000	1	20,000
Sub Total							20,000
M2B10T0101C0130 Project communication strategy implemented.	WB01	2240108	Consultancy fees	Lumpsum	30,000	1	30,000
Sub Total							30,000
M2B10T0101C0131 Facilitate Regional Technical Organizations (RTOs) to support ACEs	WB01	2240108	Consultancy fees	Lumpsum	590,000	1	590,000
Sub Total							590,000
M2B10T0101C0132 Facilitate IUCEA and Project Staff in skills development in Project management for 6 Staff	WB01	2230101	Air ticket	person trip	1,000	6	6,000
	WB01	2230114	Per diem	person days	350	78	27,300
	WB01	2230226	Visa Fees	person trip	100	5	500
	WB01	2210501	Participation fees	Unit	1,500	6	9,000
Sub Total							42,800
GRAND TOTAL							2,868,510

The Council considered and adopted a Supplementary Budget for the Financial Year 2022/2023 amounting to USD 2,868,510 to be funded by the World Bank to facilitate the Inter University Council of East Africa to implement the African Centres of Excellence (ACE II) project and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 50).

y) Request for Supplementary Budget for East African Kiswahili Commission

Consultancy to develop the 2nd EAKC Strategic Plan

The Council recalled that at its 35th Meeting, the Council approved the 1st EAKC Strategic Plan (2017/2018-2021/2022) which has guided the operations of the Commission for the past five years. The implementation period of the Strategic Plan ended on 30th June 2022. Consequently, the Commission commenced development of the 2nd Strategic Plan. In this regard, the Commission undertook an End Term Review of the 1st Strategic Plan with the involvement of the EAC Planning Department and established the status of implementation of the 1st Strategic Plan in addition to some weaknesses and gaps that affected the implementation of the Plan.

The Council was informed that subsequently, the Commission commenced the procurement of a consultant to facilitate the development of the 2nd EAKC Strategic Plan. Expression of Interest and Terms of Reference for procurement of the consultant were developed and approved by the 17th SCESTCS. The call for expression of interest was then publicized and prospective consultants expressed their interest. Evaluation of the bids was also undertaken. The EAC Procurement Department is currently concluding the process to bring the consultant on board. The process has however taken longer than was anticipated and would mean that the Commission would not be able to use the allocated funds to implement this activity.

The Strategic Plan is a crucial policy, planning and guiding document for the Commission and it is important that it is developed to guide the activities of the Commission. It should however be noted that the funds approved for this activity in the 2021/2022 Financial Year Budget are due to be transferred to the General Reserve fund as provided by regulation 29 (2) of the EAC Financial Rules and Regulations, since it was not possible to sign the contract with the Consultant by 30th June 2022.

Table F49: MTEF for the development of the 2nd EAKC Strategic Plan

Cost Centre:		Office of the Executive Secretary					
Objectives		M5G					
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
M5G01T0101D01 Hire a consultant to develop the 2nd	ZP01	2240108	Consultancy Fees & Reimbursable	Person-Day	500	60	30,000

EAKC Strategic Plan		2230102	Air ticket/Mileage – Delegate/Consultant	Person Trip	500	8	4,000
			Logistics	Lumpsum	4000	1	4,000
TOTAL							38,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 38,000 to be funded from the General Reserve Fund to facilitate the development of the 2nd EAKC Strategic Plan, and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 51).

z) Request for a Supplementary Budget for the Lake Victoria Basin Commission

Basin Integrated Water Resources Management Programme (LVB-IWRMP)

Many transboundary issues make the water management of Lake Victoria challenging and sometimes delicate. Overfishing in the lake, siltation from erosion of deforested watersheds, industrial & municipal polluted effluents, and runoff from agricultural areas are amongst the most pressing issues in water management in the Basin. The LVBC is therefore intensifying its efforts through the Lake Victoria Basin Integrated Water Resources Management Programme (LVB-IWRMP), to address the urgent needs for regional coordination among the Partner States.

The overall objective of the LVB-IWRM Programme is to improve water quality and availability through strategic and sustainable management of the Lake Victoria Basin via regional IWRM investments and related measures. In addition to an environmentally sound and economically viable management of the water resources, the set of measures will contribute to the enhancement of regional integration, preservation of biodiversity, and prevention of conflicts.

The LVB-IWRM programme is expected to generate the following results:

- a) The regional coordination capacity improved through joint decision-making guided by an IWRM Strategy and an Investment Plan informed by an LVB-WIS.
- b) Knowledge Management and capacity of the LVBC and national partner institutions strengthened through regular data collection and modelling, organised knowledge sharing, and targeted training in the use of the LVB-Water Information System (LVB-WIS) for decision making; and
- c) Water quality of Lake Victoria improved through the implementation of the identified High Priority Investments (HPIs) in the five EAC Partner States of Burundi, Kenya, Rwanda, Tanzania, and Uganda.

The LVB-IWRM Programme was developed based on a Protocol Agreement signed between the EAC and the Federal Republic of Germany on cooperation in the Lake Victoria Basin. The total initial funding for the Programme amounted to **EUR 28.9 million** for 3 years (January 2020 – February 2023) with EUR 20 million being a contribution from the Federal Republic of Germany, EUR 8.9 million from the European Union; both through the KfW Development Bank. On April 01, 2022, a Grant Agreement BMZ-No. 2019 672 07 was concluded between the EAC and KfW-Frankfurt with additional funding of EUR 10 million expiring on 31st December 2028. The total funding volume for the Programme now stands at **EUR 38.9 million**.

Using the newly acquired proceedings, the Commission is planning to implement activities worth **USD 174,850** between January and June 2023 including:

- a) undertaking a Study Tour to learn best water resources management practices from other basin organizations in Africa (ORASECOM in South Africa / IGAD region);
- b) acquisition of a 4x4 vehicle; and
- c) implementing communication & visibility activities (producing C&V materials, documentaries for HPIs, and undertaking media trainings in PS).

Table F50: MTEF for Additional Funds for Lake Victoria Basin Commission from KFW

0412100 Cost Centre: Project and Programmes Office							
Objectives M2M2B12							
MTEF Description &Activity	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimate s
M2B12T0101D0205 Purchase of IWRM Vehicle Sub-total	KFW	6110209	Motor vehicle and other Office equipment	Unit	55,000	1	55,000 55,000
M2B12T0101D0206 Undertake Maintenance of IWRM vehicle Sub-total	KFW	2210602	Insurance of the vehicle	Per year	3,000	1	3,000
		2210901	Fuel	Liter	1,2	1000	1,200
							4,200
M2B12T0101D0207 Undertake a visit to learn best practices in Water Resources Management	KFW	2210505	Conference facilities	Person day	30	100	3,000
		2230101	Air ticket - Staff	Person trip	500	5	2,500
		2230101	Air ticket-Delegates	Person trip	500	15	7,500
		2230114	DSA-Staff	Person night	350	30	10,500
		2230115	DSA-Delegates	Person night	350	90	31,500

0412100 Cost Centre: Project and Programmes Office							
Objectives M2M2B12							
MTEF Description &Activity	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimate s
Sub Total							55,000
M2B12T0101D0208 Produce a video documentary and photographs of IWRM Baseline situation	KFW	2210309	advert	Advertisi ng	700	5	3,500
		2240108	Consultancy Fees & Reimbursabl e (Contracted Professional Services- Consultancy Fees)	Man day	500	20	10,000
		2230101	Air Ticket staff	Person trip	500	5	2,500
		2230114	DSA -Staff	Person night	350	15	5,250
							21,250
Sub Total							21,250
M2B12T0101D0209 Undertake a media training on IWRM Project.	KFW	2210505	Conference facilities	Person day	30	180	5,400
		2240108	Consultancy Fees (Facilitators) & Reimbursabl e (Contracted Professional Services- Consultancy Fees)	Man day	500	15	7,500
		2230106	Road Transport	Transport fees	50	150	7,500
		2230101	Air Ticket staff	Person trip	500	10	5,000
		2230114	DSA -Staff	Person night	350	40	14,000
Sub Total							39,400
GRAND TOTAL							174,850

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 174,850 funded by the Integrated Water Resources Management programme to facilitate the implementation of the earmarked project activities, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 52).

aa) Request for Supplementary Budget for application fees to be accredited as International Accredited Entity for Green Climate Fund (GCF)

The Lake Victoria Basin Commission (LVBC) will seek the support of the Council in pursuing accreditation as an International Accredited/Access Entity (IAE) for the Green Climate Fund (GCF). Accredited Entities partner with GCF to implement projects and programs. This initiative is in line with the guidance of the 21st Meeting of the Sectoral Council of Ministers (SECOM) for Lake Victoria Basin (LVB). During the meeting, it was observed that most of the resource mobilization being pursued by LVBC Secretariat are related to environment and climate change yet the Secretariat is yet to be accredited to access global climate financing windows. The meeting of the SECOM directed that LVBC Secretariat collaborate with national accredited institutions in the EAC/LVBC Partner States to access global climate financing windows for regional projects and programmes (**LVBC/SC21/Directive 26**). However, the directive was a temporary measure that as LVBC was advised to seek for accreditation.

The Council was informed that the accreditation to global climate finance mechanisms such as Global Environment Facility (GEF), Adaptation Fund (AF), and Green Climate Fund (GCF) is very important in relation to ensuring sustainable climate financing for the Commission. The highlighted climate finance windows are the mechanisms that major donors are using to fund interventions to address climate change challenges. LVBC has been depending on her accredited development partners such as United Nations Environment Program (UNEP) and African Development Fund (AfDB) (which has associated bureaucracies) to mobilize climate finance.

With the accreditation, the Commission will be able to apply for funds directly without going through third party agencies like UNEP which have their own related bureaucracies. The accreditation will be a major boost for the Commission in view of the current trend of decline in grant funding by many development partners and limited viability of Partner States to pursue loans from Development Finance Institutions (DFIs) to implement development projects.

The GCF policy on fees for accreditation encompasses four categories of projects and programs funding levels as shown in the following table:

Table F51: Categories of Projects and Programme Funding Level

No.		Project Category	Project Threshold (USD)	Fee for basic fiduciary standards (USD)	Fee for each specialized fiduciary standard (USD)	Estimate Total Fee (USD)
1		Micro	Up to 10 million	1,000	500	2,000

2		Small	Above 10 million and up to 50 million.	5,000	1,000	7,000
3		Medium	Above 50 million and up to 250 million	10,000	3,000	16,000
4		Large	Above 250 million	25,000	7,000	39,000

LVBC is required to comply with two specialized fiduciary standards. Namely: (i) specialized fiduciary standards for project management; (ii) specialized fiduciary standards for a grant award.

LVBC requested the Council for funds for accreditation to the Green Climate Fund (GCF). The requested funds shall cater for the following activities:

- Membership fees for accreditation to GCF;
- Hiring a consultant to assist LVBC in the process of accreditation;
- Organizing a regional technical workshop including representatives from Partner States to provide inputs to the request for accreditation documents.

Table F52: MTEF to facilitate Accreditation of the Lake Victoria Basin Commission to Green Climate Fund

Cost Centre: 110101 Projects Development & Resource Mobilization Office							
Objectives	M5M5G04						
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
Undertake a process for accreditation to Green Climate Fund	ZG01	2240101	Membership Fees & Subscriptions to Professional/Tr	Lump sum	Lump Sum	Lump Sum	16,000
		2240108	Consultancy Fees & Reimbursable	Person day	500	30	15,000
Sub-total							31,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 31,000 funded from EAC General Reserve to facilitate the accreditation of the Lake Victoria Basin Commission to the Green Climate Fund, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 53).

bb) Request for Supplementary Budget to pay membership fees to African Network of Basin Organizations (ANBO) for the period 2019-2022

Lake Victoria Basin Commission (LVBC) is a founding member of the African Network of Basin Organizations (ANBO). This network was created during ANBO Inaugural General Assembly held in Dakar on 10th & 11th July 2002 as an International Non-Profit Organization. Since its creation, ANBO has been constituted as a voluntary network of the basin, lake and aquifer organizations set up with the assistance of the International Network of Basin Organizations (INBO). ANBO was created to respond to the need to coordinate and strengthen cooperation among African basin organizations. As a result, ANBO groups these entities as a single, representative umbrella organization within the framework of the African Ministers' Council on Water (AMCOW), which coordinates the water policy within the New Partnership for Africa's Development (NEPAD) of the African Union.

The membership of LVBC to ANBO provides immense opportunities for partnerships, networking, and resource mobilization. For example, LVBC has been engaged in consultations under the framework of the Team Europe Initiative (TEI) to define continental priorities for transboundary integrated water resource management. This creates opportunities for partnership in the implementation of such initiatives in the East African Community region. Engagement in these consultations has been made possible through active membership and participation in ANBO and AMCOW activities.

However, since ANBO is still a young institution, the members have to contribute annual membership fees to run some of its operations. Following the deliberations of the ANBO Council Meeting held in Tunis in July 2019, the annual membership fee was set at USD 3,000. LVBC has not paid the annual membership fees since 2019 and has accumulated arrears totaling to USD 12,000.

Table F53: MTEF for LVBC Annual Membership Fees for the African Network of Basin Organizations

Cost Centre: Projects Development & Resource Mobilization Office							
Objectives	M5M5G04						
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
Pay annual membership fees to the African Network of Basin Organizations (ANBO) for 2019-2022.	ZG01	2240101	Membership Fees & Subscriptions to Professional/Tr				12,000
Sub-total							12,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 12,000 funded from EAC General Reserve to enable the Lake Victoria Basin Commission to clear arrears in annual membership fees (2019-2022) to the African Network of Basin Organizations, and forwarded the same to EALA for debate and approval (EAC/CM 43/ Decision 54).

cc)Request for Supplementary Budget for Lake Victoria Fisheries Organization

Request for Supplementary budget to develop and approve architectural drawings and BOQs for an additional building at the LVFO premises

The 3rd Session of the Fisheries and Aquaculture Sectoral Council of Ministers (FASCoM) held on 27th April 2021 approved initiation of the project for a building within the premises of the current LVFO Secretariat in Jinja to house two directorates and projects (**FASCoM3/6.0/a**). In addition, FASCoM authorized LVFO to develop Terms of Reference for a consultancy to prepare Architectural drawings and Bills of Quantities (BOQs) for the proposed building. The two FASCoM directives were presented among others and noted by the 41st Ordinary Meeting of the Council (**EAC/CM 41/decision 139**). The LVFO captured provision for development of Architectural drawings and BOQs in the budget for the FY 2021-2022. Accordingly, the Organization prepared TORS as directed and advertised on both LVFO and EAC websites, including a number of associated networks. The organization received bids, evaluated, and awarded a contract price of USD 23,000 (USD Twenty-three thousand dollars only) to **K. Euc Architects' Studio – SMC Ltd**. However, the service provider's fees could not be effected in a timely manner due to insufficient funding of the approved budget.

In addition, the contractor alerted LVFO of the requirement for Environmental Impact Assessment at a cost of USD 3000 and approval of plans by the local authorities valued at 2,000.00, resulting into a total cost of USD 28,000 (USD *Twenty-eight thousand dollars*) for which the LVFO is seeking a supplementary budget as shown in the Table below.

Table F54: MTEF for the Development and Approval of Architectural drawings and Bills of Quantities

Directorate	Office of the Deputy Executive Secretary						
Cost Centre:	Program Planning						
Objective	Establishment of a program and project coordination center at LVFO				Inputs		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates

Conduct a feasibility study, prepare BOQs	ZG06- LVFO Reserve Fund	2240108	Contracted Professional Services	hours	500.0	46	23,000.00
Environmental Impact Assessment fees	ZG06- LVFO Reserve Fund	2240108	Consultancy	Lump sum	3,000	01	3,000.00
Approval of Architectural Drawings	ZG06- LVFO Reserve Fund	2240108	Consultancy	Lump sum	2,000	01	2,000.00
Sub Total							28,000.00

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 28,000 to be funded from the Lake Victoria Fisheries Organisation Reserve fund to facilitate the development and approval of architectural drawings and Bills of Quantities for an additional building at LVFO premises and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 55).

dd) Request for Supplementary Budget for improvement of the Resource Data Centres and Wide Area Networks in LVFO

In the FY 2019/2020, the EAC Partnership Fund disbursed funds to LVFO for purchase of UPS 100 KVA UPS 100 KVA to curb on the Data Centre Power outages and improve the Disaster Recovery Systems (Storage Area Networks-SAN, Switches and Routers). However due to the Covid19 pandemic, the procurement of the equipment was interrupted and therefore not completed. Power surges have affected the servers of the institution and there is a need to secure UPSs to improve the situation together with the Disaster Recovery Systems network.

Table F55: MTEF for improvement of the Resource Data Centres and Wide Area Networks in LVFO

Cost Centre:	Information Systems Management						
Objective	Data Centers and Wide/Local Area Networks operationalized and improved				Inputs		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
To eliminate power outage effects on the Data Centers	ZG06- LVFO Reserve Fund	6110201	UPS 100 KVA	No.	60,000.00	1	60,000.00
To improve the Disaster Recovery Systems network	ZG06- LVFO Reserve Fund	6110201	Storage Area Networks-SAN, Switches and Routers	Nos	2,000.00	8	16,000.00
Total							76,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 76,000 to be funded from the LVFO Reserve fund to facilitate the

improvement of the Resource Data Centres and Wide Area Networks, and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 56).

ee)Supplementary budget request for IFAD Supported Project

Through a competitive process, the LVFO in Partnership with the three Regional Research institutions (KMFRI, Kenya, TAFIRI, Tanzania, and NaFIRRI, Uganda) secured a grant of USD 1.5M from the International Fund for Agricultural Development (IFAD) to implement a project titled “*Promoting Sustainable Technologies and Marketing Strategies to Increase Incomes and Reduce Food Losses in Small Fish Systems.*” Project Acronym: Lake Victoria Small Fish Project (LVSFP). The overall objective of the project is to achieve improved, inclusive, and sustainable livelihoods and nutritious diets for rural communities that are dependent on small fish in Lake Victoria. The development objective is to reduce food losses, improve incomes and nutrition from small fish systems.

The project, worth USD 2.0 million will be co-funded by a grant from the International Fund for Agricultural Development (IFAD) to a tune of 1.5 million US dollars and the LVFO with her Partner Research Institutions are expected to contribute USD 500,000 over a period of 36 months. The project officially started on 26th February 2022 upon signing of the Grant Agreement and will run up to 25th February 2025. The development partner has already disbursed the first half year budget and implementation is set to start as planned. However, by the time the Agreement was signed, the budgeting process for the FY 2022-23 had already been completed. The summary budget for the first-year activities is given in Table below:

Table F56: MTEF for First year Budget for implantation IFAD Funded Small Fish Project in Lake Victoria

Directorate	Fisheries and Aquaculture Resources Monitoring						
Cost Centre:	Monitoring, Control and Surveillance (MCS)						
Objective	To Promote Sustainable Technologies & Marketing Strategies for Small Fish Species				Inputs		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Organization and strengthening small fish traders' associations/ groups/ cooperatives (40-man days*\$350.) - To be done by a local Business Development Consultant	IFAD	2230118	Consultancy	Person-Day	350	40	14,000
Development/Installation of solar dryers for small fish in communities (2 units @\$30,000 per site*3 countries)	IFAD	2900204	Equipment & Material	Bills of quantities	30,000	4.50	135,000
Household training on utilization of small fish products (Field staff allowance: 6 technical staff/experts*\$100	IFAD	2230115	DSA	Person-Day	100	90	9,000

Directorate	Fisheries and Aquaculture Resources Monitoring						
Cost Centre:	Monitoring, Control and Surveillance (MCS)						
per person per day*5 days*3 countries)							
Fuel for local transportation for the training in 1.3.1. (\$1000*3 countries)	IFAD	2230106	Fuel, local transport	Per country	1,000	3	3,000
Develop market linkages for fishers and traders of small fish (including higher-end outlets/ supermarkets) to be done by local business development partners @\$350*8 days per country * 3 countries	IFAD	2230118	Consultancies	Hours	2,800	3	8,400
Promotion and training of communities on small fish packaging (\$5000*6 workshops* 3 countries)	IFAD	2230115	DSA	Per country	5,000	18	80,000
Fees for developing standards (14 days *3 countries @\$350 per person)	IFAD	2230118	Consultancies	per day	350	42	14,700
Develop digital fish marketing Apps (e-CAS and e-Fisher) (\$350*30-man days per application * 2 applications)	IFAD	2230118	DSA	Person-Day	350	60	21,000
Participatory targeting surveys for Identification and selection of project beneficiaries	IFAD	2240108	Consultancies	per hour per country	16,600	3	49,800
Data Quality Assessments (USD 300* 20days spread in the 3 countries)	IFAD	2230108	Consultancies	per month	300	20	6,000
Construction of small fish value chain module in ECOPATH (@350*46-man days)	IFAD	2230115	DSA	Man days	350	46	16,100
Stakeholder sensitization and validation on mapped fish flows (3 workshops @\$5000)	IFAD	2230115	DSA	per country	5,000	3	5,000
Consultancy for market surveys (2 experts * \$9000 per person)	IFAD	2230118	DSA	per person	9000	2	18,000
Sub-Total							380,000
Administration Costs							
Project operations and administrative officer (Equivalent of EAC/LVFO P3)	IFAD	2110204	Salary	per month	5756.25	12	69,075
Baseline Data Collection & Analysis (USD 300*10 days plus Fuel 80liters@USD 1.2/liter per day)	IFAD	2230118	DSA	Man days	300	10	3,000
	IFAD	2210903	Fuel	Liters	120	10	1,200
Sub-Total							73,275
3.1.2.6 Institutional administrative cost	IFAD						46,725
Grand Total							500,000

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 500,000 to be funded by the International Fund for Agricultural Development (IFAD) to facilitate implementation of first year activities of the

Promoting Sustainable Technologies and Marketing Strategies to Increase Incomes and Reduce Food Losses in Small Fish Systems project, and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 57).

ff) Supplementary budget request for Responsible Fisheries Business Chains on Lake Victoria Project

The LVFO in Partnership with GIZ Uganda has been implementing a project: “The Responsible Fisheries Business Chains (RFBC) on Lake Victoria” supported through GIZ (€ 1.794M) that has financed undertaking of Lake-wide hydro-acoustic surveys in 2018, 2019, 2020 and 2021 to provide updated status of fish stocks in the Lake Victoria for sustainable management and development. The project was set to end on 31st July 2022 but has received a no cost extension to conclude the ongoing activities. Below is the budget required to support the wrap up of the project.

Table F57: MTEF for Responsible Fisheries Business Chains on Lake Victoria project

Cost Centre:	Monitoring, Control and Surveillance (MCS)						
Objective	To implement the Annual hydro acoustic survey, year 5						
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs (USD)	Number of Units* & Qty*	Estimates (USD)
Procurement- software	RFBC	2220201	Servicing the can mar Net monitor system	Unit	2,944.76	1	2,944.76
Sub Total Activity							2,944.76
Staff cost-August 2022 to 31st March 2023	RFBC	2110204	Staff Emoluments	month	2,607.16	8	20,857.28
Administration support - lump sum	RFBC	2210200	Administration	month	315.51	8	2,524.08
Sub Total Activity							23,381.36
Grand Total							26,326.12

The Council adopted a Supplementary Budget for the FY 2022/2023 amounting to USD 26,326.12 to be funded by GIZ-Responsible Fisheries Business Chain project to support conclusion of project activities and referred the same to EALA for debate and approval (EAC/CM 43/ Decision 58).

gg) Request for Supplementary budget for Operation Save the Nile Perch (OSNP)

The Council recalled that at its 41st meeting, the Council approved the revised work plan for Operation Save Nile Perch (OSNP) including a Supplementary Budget for the first quarter of implementation (**EAC/CM 41/Decision 102**). The LVFO Secretariat together with Partner States have completed the planning process and are ready to implement the project as per the summary budget in the Tables below:

Table F58: MTEF for Operation Save the Nile Perch budget by Implementing Partner States/Institution

No.	Activity	Kenya (USD)	URT (USD)	Uganda (USD)	LVFO Secretariat (USD)	Totals (USD)
1	Sensitization and mass mobilization of fishers on sustainable MCS activities	19,550.00	50,350.00	36,200.00	0.00	106,100
2	Procurement of MCS and 3 Communication Equipment	414,830.00	324,160.00	302,000.00	0.00	1,040,990
3	National Monitoring Control and Surveillance Operations	98,500.00	158,370.00	194,680.00	0.00	451,550
4	Regional evaluation and 5 syntheses of OSNP outcomes	0.00	0.00	0.00	47,605	47,605
		532,880	532,880	532,880	47,605	1,646,245

The Council will be informed that in considering the request for a Supplementary Budget for Operation Save the Nile Perch, the Finance and Administration Committee observed as follows:

- The 41st Council of Ministers adopted a work plan to be implemented in a period of 4 quarters. Therefore, the budget should be considered during the consideration of the annual budget in February 2023;
- There is need for a framework specifying the way the funds will be spent including those to be remitted to the Partner States. Therefore, the Finance and Administration Committee Meeting agreed that the LVFO should submit the said framework at the time of consideration of the budget in February, 2023.

The Council directed the Lake Victoria Fisheries Organization to submit a detailed implementation framework of Operation Save the Nile Perch funds during consideration of the EAC Annual Budget FY 2023/24 in February, 2023 (EAC/CM 43/ Directive 40).

6.1.13 BORROWING OF USD 895,030 FROM THE EAC GENERAL RESERVE

The Council was informed that due to delayed disbursements from some Partner States, the Assembly does not have funds on its bank accounts to meet statutory expenses which are part of its approved budget for the Financial Year 2022/2023. Regulation 32(3) of the EAC Financial Rules and Regulations (2012) provides that *“Funds from the General Reserve Fund may be utilised to administer the current budget in case of a delay in remittance of budgetary contributions from Partner States”*.

EALA therefore requested to borrow funds to facilitate payment of items listed in the table below:

Table F59:

Description	EALA
1. Salaries and allowances for EALA Members and Staff, January 2023	512,000
2. EALA Special Sitting and Induction for Members (29 th January to 4 th February 2023)	253,030
3. Payment of overdue cost of air tickets	130,000
TOTAL	895,030

The Meeting observed that in future, transfer of funds from general reserve be effected after receiving a no objection from all Partner States. The Secretary General should avail the office of the Chairperson of the Council with a letter to be submitted to all Partner States.

The Council approved a borrowing of the USD 895,030 from the EAC General Reserve Account to facilitate EALA to pay salaries for the month of January 2023, a Special Sitting and Induction for new Members (EAC/CM 43/ Decision 59).

6.1.12 REQUEST FOR SUPPLEMENTARY BUDGET FUNDED FROM THE EAC GENERAL RESERVE

6.1.12.1 BUDGET FOR THE VERIFICATION MISSION AND REPORT WRITING TOWARDS ADMISSION OF THE FEDERAL REPUBLIC OF SOMALIA INTO THE EAC

The 22nd Ordinary Meeting of the EAC Summit of Heads of State held on 22 July, 2022 noted that the verification exercise for the admission of the Federal Republic of Somalia into the East African Community had not been undertaken and directed the Council to expeditiously Fasttrack the verification exercise in accordance with the EAC Procedure for Admission of new members into the East African Community.

In light of the above, an EAC Verification Mission was deployed in Mogadishu, Somalia (FRS) from 25th February to 3rd February 2023. The Verification Mission had participation of 3 delegates from each Partner States and staff from the EAC Organs.

A Report of the Verification Mission was prepared from 17th – 19th February, 2023 in Bujumbura, Burundi.

MTEF for Verification Mission

Table F60

DESCRIPTION	Funding Source	Cost Center	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units	Estimates
Deployment of EAC Verification Mission to the Federal Republic of Somalia	General Reserve	150102	2210505	Hiring of Conference Facilities	Person Day	35	450	15,750
			2210508	Logistics for meetings (Visa fees, airport taxes,)	Person	155	35	5,425
			2230101	Air Ticket EAC-Staff/	Person Trip	1200	10	12,000
			2230101	Air Ticket EAC-Staff	Person Trip	1500	2	3,000
			2230102	Air Ticket EAC-Delegate	Person Trip	1200	21	25,200
			2230114	DSA Full or 1/4-Staff (SG)	Person Night	450	6	2,700
			2230114	DSA Full or 1/4-Staff	Person Night	350	140	49,000
			2230114	DSA Full or 1/4-Staff(G. Staff)	Person Night	250	30	7,500
			2230115	DSA Full or 1/4-Delegates	Person Night	350	294	102,900
			2210401	Hiring of Vehicles for ground transport	Trip Day	35	250	8,750
			2210201	Communication	Person	10	95	950
TOTAL								233,175

MTEF for the Report Writing

Table F61:

MTEF & Activity Description	Funding Source	Cost Center	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units	Estimates
Report Writing for Admission of FRS into the EAC	General Reserve	150102	2230115	DSA Full or 1/4-Delegates (Partner States Experts)	Person Night	350	84	29,400
			2230102	Air Ticket EAC-Delegate (Partner States Experts)	Person Trip	500	21	10,500
			2230114	DSA Full or 1/4-Staff (Executive)	Person Night	400	7	2,800
			2230114	DSA Full or 1/4-Staff-Professional	Person Night	350	56	19,600
			2230101	DSA Full or 1/4-Staff-General	Person Night	250	14	3,500
			2230101	Air Ticket EAC-Staff	Person Trip	1000	1	1,000
			2230101	Air Ticket EAC-Staff	Person Trip	500	10	5,000
			2210505	Hiring of Conference Facilities	Person Day	35	27	945
			2210505	Hiring of Conference Facilities	Person Day	35	90	3,150
			2210301	Printing and Photocopy Services	Lumpsum	1000	1	1,000
TOTAL								76,895

The Council:

- (a) decided to stay consideration of a request for supplementary budget to facilitate the Verification Mission and report writing for the verification mission to the Federal Republic of Somalia (EAC/CM 43/ Decision 60); and
- (b) directed the EAC Secretariat to submit a retrospective request for supplementary budget to facilitate the Verification Mission and report writing for the verification mission to the Federal Republic of Somalia reflecting actual expenditure during the ordinary meeting of Finance and Administration scheduled in March, 2023 (EAC/CM 43/ Directive 41).

6.1.12.2 BUDGET TO FACILITATE PARTICIPATION OF EALA STAFF TO SUPPORT THE 1ST MEETING OF THE 5TH ASSEMBLY

The 1st Meeting of the 5th Assembly will be held in the Republic of Burundi from 25th March to 7th April, 2023. It is recalled that the 4th Assembly planned four meetings, of which one was to be held outside Arusha. On the basis of this, the Assembly approved one rotational meeting for which the staff component to service it was factored in the Assembly's annual budget for the FY' 2022/2023. Notably under Article 55 (2) of the Treaty the Assembly is required to have rotational sittings in the Partner States

provided that one of such a sitting meets at least once every year at Arusha in the United Republic of Tanzania.

In the wisdom of the 5th Assembly, it was thought prudent that one rotational meeting is insufficient to enhance the visibility of the Assembly and the Community at large. This necessitated a second rotational meeting, hence, the decision to meet in Bujumbura, Burundi.

It is however noted that the aforementioned approved budget of the Assembly for the rotational meeting was utilized during the October/November session held in Kigali, Rwanda. The second rotational meeting will necessitate additional budget to cater for the staff to facilitate the plenary and respective committee meetings. The required funds are to cater for return-air tickets and daily subsistence allowances.

The table below presents the details of the required funds:

Table F62

Long Term Target	Strengthening the capacity of EAC Organs and Institutions to effectively execute their mandates								
Annual Target	Effective and efficient participation of the Assembly in the plenary sessions and committee meetings								
	MTEF Budget Code	Activity description	Funding Source and Code	Account s Code	Descripti on of input	Unit of Measure	Unit cost of inputs	No. of Units	Estimate s
	M5G1	To facilitate staff to service (support) the EALA Bujumbura session in March/April 2023	Partner States ZP01	2230104	Air tickets	Person trip	500	30	15,000
				2230114	DSA Full	Person Night	350	210	73,500
				2230114	DSA Full/Gen eral Staff	Person Night	250	240	60,000
	Total								148,500

The Council adopted, as a one-off activity, a supplementary budget of USD 148,500 from the EAC General Reserve to facilitate participation of EALA staff to support the 1st Meeting of the 5th Assembly, and forwarded the same to EALA for appropriation (EAC/CM 43/ Decision 61).

6.1.13 SUPPLEMENTARY BUDGET FUNDED BY DRC CONTRIBUTION FOR THE FINANCIAL YEAR 2022/2023

The 19th Extraordinary Summit of Heads of State admitted the Democratic Republic of Congo (DRC) into the Community and made provision for the DRC to sign the Treaty of Accession of the DRC into the Community and to deposit instruments of ratification before 29th September 2022. The Treaty of Accession was signed on 8th April 2022.

Similarly, the Democratic Republic of Congo deposited the Instrument of Ratification on 12th July 2022 and therefore became a full member of the Community.

As per the Council directives **EAC/EXCM47/Directives 14 and 15**, each Partner State contributes USD 8,445,141 towards the budget for FY'2022/2023.

Democratic Republic of Congo deposited instruments of ratification of the Treaty to the SG's Office in early July 2022 the beginning of the financial year and Secretariat is submitting additional budget computed by prorating the above amount to the applicable number of months of the financial year and to a ratio each Partner states is contributing to EAC Organs and Institutions.

The 42nd Council meeting observed that:

- i) The proposed budget should be based on planned activities and presented to the next meeting of the Finance and Administration Committee.
- ii) the Secretariat should prepare a detailed MTEF on how the assessed contributions of DRC will be used from the date of deposit of Instruments of ratification; and
- iii) The proposals from the Secretariat in the Roadmap for the integration of DRC should focus on the infrastructural needs of the Community including systems to facilitate the integration of the DRC. “

Further, the Council directed that the Secretariat to prepare a detailed MTEF budget to be funded by the contribution by the Democratic Republic of Congo and submit it to the Finance and Administration Committee (*EAC/CM 42/directive 30*).

The Secretariat has prepared the detailed MTEF basing on the three priority areas;

- i. Extra budgetary administrative requirements caused by admission of the 7th Partner States;
- ii. Critical unfunded activities with Summit and Council pronouncements;
- iii. Activities integrating DRC by Organs and Institutions to participate in EAC programmes as per calendar of activities not catered for in FY2022-2023 appropriated budget.

The detailed MTEF herein attached **Annex XXIX** and **Annex XXX**.

The Meeting observed:

- i) There is a need for EAC Organs and Institutions to prioritise sensitization in DRC as a way of expediting their integration to the EAC, procurement of the interpretation and translation infrastructure and the services;
- ii) To facilitate DRC delegates participating in already planned activities where other Partner States experts are to be facilitated;
- iii) The budget of CASSOA was submitted to the Committee before its approval by the Board and was therefore not considered; and
- iv) The Secretariat should comprehensively undertake sensitization programmes in DRC in order to allow stakeholders to appreciate the integration agenda.

The Council :

- a) adopted the supplementary Budget funded by DRC's contribution for FY'2022/2023 amounting to USD 7,996,343 to enable the EAC Secretariat, East African Legislative Assembly, East African Court of Justice, Lake Victoria Basin Commission, East African Science and Technology Commission, the East African Kiswahili Commission, the East African Health Research Commission, the East African Competition Authority the Inter-University Council to discharge their mandate in the Financial year 2022/2023 and forward the same to EALA for appropriation (EAC/CM 43/ Decision 62);
- b) directed the management of CASSOA to submit a proposal for supplementary budget for FY'2022/2023 to be funded by DRC's contribution to the Board of CASSOA for consideration and adoption prior to its submission to the Council (EAC/CM 43/ Directive 42).
- c) Urged:
 - i. Democratic Republic of Congo to contribute USD 7,352,124 towards the main EAC Budget for FY'2022/2023 allocated to Organs and Institutions in the table below (EAC/CM 43/ Decision 63).

Table F63

Description	EACS	EACJ	EALA	LVBC	EASTECO	EAKC	EAHRC	EACA	Total USD
Approved allocation of disbursement from each Partner State' contribution	2,766,835	633,973	2,514,440	458,398	285,876	214,037	310,044	168,523	7,352,126

- ii. **Democratic Republic of Congo to contribute USD 644,219 towards the IUCEA Budget for FY'2022/2023 (EAC/CM 43/ Decision 64).**

6.1.14 SUPPLEMENTARY BUDGET FOR FY'2022/2023 FUNDED BY SUPPORT FROM DEVELOPMENT PARTNERS

6.1.14.1 Supplementary Budget to Support Participation of the East African Community in the United Nations Climate Change Conference, 6th - 18th November, 2022 in Sharm El-Sheikh, Egypt

The UN Climate Change Conference (COP27/CMP17/CM4) was held from 6th-18th November, 2022 in Sharm El-Sheikh, Egypt. The Conference was attended by experts/negotiators from all EAC Partner States except DRC. The entire conference was supported by GIZ. The Conference reviewed the progress made in the implementation of resolutions of the previous COP meetings and provided opportunity for governments, regional, international, business, local authorities and civil society to deliberate, show case and share experience and best practices on climate change.

The Conference comprised of the following sessions:

- (i) The 27th Conference of Parties to UNFCCC (COP27);
- (ii) The 17th conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 17);
- (iii) The Fourth session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 4);
- (iv) The Subsidiary Body for Implementation (SBI 51); and
- (v) The Subsidiary Body for Scientific and Technological Advise (SBSTA 51).

To prepare for effective participation of the EAC region, high-level meeting of ministers responsible for climate change was held on 5th-7th September, 2022 in Kigali, Rwanda. The meeting adopted regional key messages and priority areas towards UN Climate Change Conference (COP 27/CMP17/CMA4).

The **adopted regional priority areas**² aim to mobilize resources and support EAC's engagement with partners during bilateral meetings in the margin of the UN Climate Change Conference:

- Building Climate Resiliency and Strengthening EAC Adaptive Capacity for food security;
- Building adaptive capacities and resilience to climate change through improved water security, sanitation and hygiene in vulnerable arid and semi-arid communities in East Africa;
- Scaling up access to Energy Efficiency and Renewable Energy in East African Community Region;

² Adopted by Ministers responsible for Climate Change in EAC region in Kigali on 7th September 2022

- A framework of nature-based solutions for climate change Resilient communities; and
- Transboundary Water bodies shorelines Integrated Management Programme.

Due to its importance, Partner States, EAC Secretariat and LVBC Secretariat participated in all the 4 UNFCCC COP27/CMP17/CMA meetings. In addition to negotiations activities, EAC delegation held bilateral meetings, organized and participated to key side events.

In the current financial year 2022/23, only USD 14, 750 is available from Partner States contribution to support this activity. Therefore, an additional budget worth to USD 95,250 came from GIZ. Due to urgency of EAC participation, GIZ funds were utilized to facilitate EAC participation. The actual expenditures table and the proposed Budget in the MTEF format is presented in the tables below:

Analysis Table F64 for actual expenditure for Sharm El-Sheikh, Egypt

Expenditure description	No. of the participants	Unit cost of inputs	Amount
Air-Ticket (staff)	5 Staff	@various costs	6,473.98
Air-Ticket (delegates)	6 delegates	@various costs	8,887
Air-Ticket (LVBC staff)	4 Staff	@various cost	7,625
Full DSA (professional Staff)	1 for 16days; 1 for 5days	350	7,350
Full DSA (supporting staff)	1 staff for 16days; 1 staff for 11days; 1 staff for 6days	250	8,250
Full DSA (delegates)	4 Delegates for 14days; 1 delegate for 16days; 1 delegate for 13days	350	29,750
Full DSA (LVBC staff)	1 staff for 12days; 3staff for 14days	350	17,850
Airport transfer	All	Lump-sum	100

Expenditure description	No. of the participants	Unit cost of inputs	Amount
GRAND TOTAL			86,286

TABLE F65: MTEF FOR PROPOSED SUPPLEMENTARY BUDGET FUNDED BY GIZ

Cost Centre: 140103	Environment and Natural Resources						
Objectives	M2D						
MTEF & Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
M2B06T0101S0103 Enhance strategic dialogue on climate change among EAC Partner States and strengthened regional capacity and voice on climate change	GIZ	2230101	Air-Ticket for Staff	Person trip	1,350	4	5,400
			Air-Ticket for delegates	Person trip	1,350	11	14,850
		2230114	DSA Professional Staff	Person night	350	56	19,600
		2230115	Full or 1/4-Person Night Delegates	Person night	350	154	53,900
		2210504	Production of meeting material	Lamp-sum	50	30	1,500
GRAND TOTAL							95,250

The Meeting observed that the actual amount spent on this activity is USD 86,285.98. Considering that GIZ did not remit the full proposed amount to the Secretariat rather they paid directly to the service provider and other allowances to respective officials.

The Council retrospectively approved a supplementary budget for FY2022/2023 amounting to USD86,286 funded by GIZ to facilitate the activities under the Environment and Natural Resources and forwarded the same to EALA for appropriation (EAC/CM 43/ Directive 43).

6.1.14.2 MULTI-SECTORAL WORK PLAN ON FOOD, NUTRITION SECURITY AND AGRICULTURAL TRADE FACILITATION

In December, 2022, the Mission Director USAID/Kenya and East Africa and the Secretary General East African Community Secretariat signed an amendment to the Food, Nutrition Security and Agricultural Trade Facilitation Implementation Letter (IL) to provide a multi-sectoral work plan to be jointly implemented by departments responsible for Agriculture, Trade, and Customs at the East African Community (EAC) Secretariat. The amendment provides additional direct funding of US 722, 438 covering a period nine months **(January to September 2023)**. The work-plan is aligned to shared development objectives between EAC 6th development plan and USAID's Regional Development Cooperation Strategy (RDCS 2020-2025).

Justification

The amendment to the Food, Nutrition Security and Agricultural Trade Facilitation IL will support interventions to address Non-Tariff Barriers (NTBs) impacting on agricultural trade, and enhance awareness to strengthen the implementation of the Simplified Trade Regime (STR) and One Stop Border Post (OSBP) concept. The IL also contribute to enhanced Food and Nutrition Security through improved policy environment, increased agricultural trade and competitiveness across the region.

Taking into consideration the completion date of the amended program **(September 30, 2023)**, the purpose of this supplementary budget request is to facilitate implementation of some of key activities by 30th June, 2022. Implementation of the rest of the interventions has been catered for under the MTEF for FY 2022-2023.

AGRICULTURE AND FOOD SECURITY DEPARTMENT

Interventions to be implemented under the leadership of the Agriculture and Food Security department are as follows:

Intervention 1: Expanding Fertilizer Finance and Investment Across Fertilizer Regional Supply Chains

Although the EAC region is endowed with a wide range of minerals for fertilizer production potential, the fertilizer sub sector still has gaps in the legal and regulatory framework, coupled with tariff and non-tariff barriers and uncoordinated region supply chains, which affect trade and the development of the fertilizer market. Fertilizer stakeholders, including dealers, face financial and regulatory challenges associated with volatility in exchange rates and government interference in commodity pricing. Fertilizer importation and production are capital-intensive and limited access to finance is a disincentive

to invest in the fertilizer industry. spillover effects of the Ukraine-Russia war have only exacerbated distribution and marketing challenges.

To address these challenges, the EAC Secretariat will convene a high-level advocacy forum of EAC Partner States, the media, private sector and regional civil society to prioritize quick pragmatic actions to be considered by Partner States and other relevant actors for quick wins in the short run, awaiting comprehensive review and development of the sector.

A joint multi-disciplinary team of 18 experts comprising of agriculture and tariff experts from EAC Partner States will undertake an assessment of fertilizer manufacturing production capacity, consumption, and opportunities for upscaling to supply the region (benchmarking existing national fertilizer plants) to inform policy on relevant tariff measures for raw material/inputs used in fertilizer production and facilitate convening of the regional high-level forum. The assessment report will be presented and discussed during the high-level forum to be convened by May 30, 2023.

In order to undertake the aforementioned assessment a consultant who is well versed with fertilizer market issues in the EAC will be hired to provide technical backstopping to the process and facilitate convening of the high-level forum. Stakeholders to this forum will comprise high-level policy makers from EAC Partner States, representatives from companies involved in the importation, distribution and local production of fertilizers and financial institutions supporting agribusiness and fertilizer production.

The main expected outcome from this activity will be an assessment report and capacity policy document highlighting the regional status of fertilizer in respect to: opportunities for finance and investments, manufacturing capacity, and trade facilitation measures required for increased availability, accessibility, and affordability of fertilizers.

Intervention 2: Promotion of specialization in food production, market access and quality regulation

The COVID-19 pandemic and Russia-Ukraine war has exposed gaps and brought out challenges that make it necessary to ensure that supply chains improve accessibility and efficiently bring safe, affordable, and nutritious foods to where it is most needed. Limited awareness including at higher levels of governments on the existence of these information resources hampers policy decision making in support of effective and efficient food systems in the region.

To strengthen regional food supply chains, there is a compelling need to promote specialization in food production, market access and quality regulation. Partner States can achieve higher economic efficiency, competitiveness and increase intra-regional trade through specialization. Supply chain actors must be supported to create a system that rewards the

production and marketing of safe and nutritious foods. Improving supply chain efficiency often translates to lower the cost of safe, nutritious food for consumers and increases revenues for players along the supply chain. This is underscored in the EAC Food and Nutrition Security Strategy and Action Plan and other instruments including the EAC Protocol on harmonized Sanitary and Phytosanitary measure also called the EAC SPS Protocol.

The EAC secretariat will conduct a regional high level multi-sectoral meeting (involving stakeholders from agriculture, trade, and customs) to discuss key constraints undermining regional food supply chains. This meeting will define and prioritize key actions to unlock the free movement of food across EAC Partner States. In this meeting, a consolidated report on the EAC Partner States' competitive and comparative advantage in food production for EAC priority and commonly traded products as basis for country specific interventions to promote specialization, food security and regional trade policy agenda. A consultant will be hired for 20 days to work with the EAC Secretariat to consolidate a report on EAC Partner States competitive and comparative advantage in food production for commonly traded products. The consultant will also provide technical backstopping and facilitation during the high-level forum to be held in July 2023.

Intervention 3: Validation of the EAC Regional Food and Nutrition Security Bulletin validated for dissemination

In line with the goal and objectives of the EAC Food and Nutrition Security Strategy and Action Plan, the Secretariat has commenced regular production and dissemination of EAC Regional Food and Nutrition Security Bulletin. The Bulletin will be published quarterly with an up-to-date and detailed account of the food and nutrition security situation in the EAC region. It is now a requirement that the Sectoral Council on Agriculture and Food Security (SCAFS) and the Council of Ministers must be regularly apprised on the status of food and nutrition security in the EAC, so as to avert food shortages and ensure that all people have reliable access to sufficient quantities of affordable, nutritious food to lead a healthy life in support of the 2030 agenda for Sustainable Development. The Bulletin will significantly fulfill this requirement. The 1st edition draft of the Bulletin has been produced with financial and technical support from the Alliance for a Green Revolution (AGRA). A validation workshop will be convened in May 2023 to verify the content and ensure ownership of the data, facts and figures.

Detailed MTEF Supplementary Budget request

Table F66:

COST CENTRE: 0140101	AGRICULTURE AND FOOD SECURITY SUPPLEMENTART BUDGET UNDER USAID FY 2022/2023								
Department Name	Agriculture, Food Security & Rural Development								
Activity Description	Funding Source	Funding Source/ Project Code	Cost Center Code	Accounts Code	Description of Inputs	Unit of Measure	Unit cost of Inputs	No. of Units Quantity	Estimates
An assessment of manufacturing production capacity and opportunities for upscaling to supply the region (benchmarking existing national fertilizer plants) and analysis of relevant tariff measures for raw material/inputs used in fertilizer production conducted.	USAID	USAID	US 04	2210505	Hiring of conference facilities	Person-Day	35	74	2,220.00
				2230114	Per diem Staff	Person-Day	350	44	15,400.00
				2230115	Per diem Delegates	Person-Day	350	154	53,900.00
				2230101	Air tickets Staff	Person	500	4	2,000.00
				2230102	Air tickets delegates	Person	500	14	7,000.00
				2240108	Consultancy Fees & Reimbursable (Contracted Professional Services - Consultancy Fees)	Person	500	40	20,000.00
Sub-total									100,520.00
High-level forum on increasing availability, accessibility, affordability and investment across fertilizer regional supply chains held	USAID	USAID	US 04	2210505	Hiring of conference facilities	Person-Day	30	184	5,550.00
				2230114	Per diem staff	Person-Day	350	24	8,400.00
				2230115	Per diem Delegates	Person-Day	350	105	36,750.00
				2230101	Air tickets Staff	Person	500	8	4,000.00
				2230102	Air tickets delegates	Person	500	35	17,500.00
					Interpretation fees	Person	500	9	4,500.00
					Hire of interpretation equipment	Per day	400	3	1,200.00
Sub-total									77,900.00
Preparation of a report on EAC Partner States competitive and comparative advantage in food production for commonly				2240108	Consultancy Fees & Reimbursable (Contracted Professional Services - Consultancy Fees)	Person	500	21	10,500.00

COST CENTRE: 0140101	AGRICULTURE AND FOOD SECURITY SUPPLEMENTART BUDGET UNDER USAID FY 2022/2023								
Department Name	Agriculture, Food Security & Rural Development								
Activity Description	Funding Source	Funding Source/ Project Code	Cost Center Code	Accounts Code	Description of Inputs	Unit of Measure	Unit cost of Inputs	No. of Units Quantity	Estimates
traded products									
Sub-total									10,500.00
Regional workshop of EAC Partner States and other relevant stakeholders to validate the scope and content of the EAC Food and Nutrition Security Bulletin	USAID	USAID	US 04	2210505	Hiring of conference facilities	Person-Day	30	70	2,100.00
				2230114	Perdiem staff	Person-Day	350	12	4,200.00
				2230115	Perdiem Delegates	Person-Day	350	78	27,300.00
				2230101	Air tickets Staff	Person	500	4	2,000.00
				2230102	Air tickets delegates	Person	500	26	13,000.00
					Interpretation fees	Person	500	9	4,500.00
					Hire of interpretation equipment	Per day	400	2	800.00
Sub-total									53,900.00
GRAND TOTAL									242,820.00

The Meeting observed that the USAID has endorsed the work plan and disbursement schedule.

The Council adopted the supplementary budget for financial year 2022/23 amounting USD242,820 to be funded by USAID to facilitate activities under Agriculture and Food Security Department and forward the same to EALA for appropriation (EAC/CM 43/ Decision 65).

6.1.14.3 Lake Victoria Basin Commission

6.1.14.3.1 REQUEST FOR SUPPLEMENTARY BUDGET FOR THE ADAPTING TO CLIMATE CHANGE IN LAKE VICTORIA BASIN (ACC-LVB)

Over the past four (4) decades, considerable climatic changes have occurred in the Lake Victoria Basin (LVB) resulting in increased mean annual temperatures and increased variability in rainfall patterns. Furthermore, studies show that annual and seasonal rainfall components are projected to change differentially in space over the LVB and that rainfall event will continue to become more extreme, episodic, and intense, making it difficult to capitalize on increased precipitation in most areas.

The negative effects of climate change disproportionately affect marginalized and rural communities within the LVB by reducing the productivity of agriculture and wetlands and the abundance of fish in Lake Victoria and its tributaries. In addition, the projected

effects of climate change will continue to negatively impact economic sectors within the LVB that depend on water resources, such as hydropower facilities and commercial fisheries. In response to the aforementioned negative effects of climate change in LVB, the Adapting to Climate Change in Lake Victoria Basin (ACC-LVB) project which is an East African Community (EAC) regional project was designed and is currently being executed by the Lake Victoria Basin Commission (LVBC). The project is implemented in the five EAC Partner States namely Burundi, Kenya, Rwanda, Tanzania, and Uganda with the financial support of USD 5M from the Adaptation Fund (AF) through the UN Environment Programme (UNEP).

The overall objective of the ACC-LVB project is to “reduce vulnerability to the negative effects of climate change in the Lake Victoria Basin through building climate resilience at both regional and local levels”. The project has five components/outcomes, namely:

- (i) Strengthened institutional and technical capacity to integrate climate resilience into transboundary water catchment management;
- (ii) Improved delivery of accurate and timely climate information to regional and national policymakers, technical officers, and local communities;
- (iii) Climate change adaptation technologies, including water harvesting techniques, climate-smart agriculture (CSA), and Ecosystem-based Adaptation (EbA), transferred to communities to reduce their vulnerability to climate change;
- (iv) Regional resilience to climate change promoted through innovative, community-based projects; and
- (v) Improved knowledge management frameworks for the collection and maintenance of regional knowledge in transboundary water catchment management and climate change adaptation practices.

Implementation of the ACC-LVB project has been going on since June 2018 and was expected to be completed in December 2022 but due to the COVID-19 pandemic, a six-month no-cost extension of the project has been granted by the Adaptation Fund Board (letter of approval with Ref: 2022/103 is attached). The new completion date for the ACC-LVB project is 30 June 2023.

The Commission is planning to implement the following pending activities:

- (i) To organize a meeting of stakeholders to discuss the flow of information between LVBC, regional climate information platforms and technical experts in water catchment management/climate change adaptation;
- (ii) Organize a training on Climate Change Adaptation and Water Catchment in 5 Partner States;
- (iii) Strengthen LVBC Information Hub to develop an LVB-specific platform for Climate information.
- (iv) Organize two training of representatives from the National meteorological agencies in the Partner States on downscaling regional Climate Information
- (v) To support partner states to identify appropriate community-based adaptation techniques.
- (vi) To hold a meeting to review proposals and select successful project proponents

- (vii) To organize a regional Forum of Researchers and technical experts & to develop joint research topics on transboundary water resources management and climate adaptation
- (viii) To implement climate change adaptation technologies
- (ix) To provide small grants to projects proponents to implement small-scale community-based adaptation projects in Tanzania

The total estimated cost for the implementation of these activities is USD 931,008 as per table below.

Table F67: MTEF FOR ACTIVITIES UNDER THE ACC-LVB PROJECT

0412100 Cost Centre:	Project and Programmes Office						
Objectives	M2M2B12						
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
To organize a meeting of stakeholders to discuss the flow of information between LVBC, regional climate information platforms, and technical experts in water catchment management/climate change adaptation	UN06	2210501	Conference facilities	Per person	30	45	1,350
		2230114	DSA- Staff	Per night	350	20	7,000
		2230115	DSA- Delegates	Per night	350	40	14,000
		2230101	Airt ticket- Staff	Per Trip	500	5	2,500
		2230102	Air ticket- Delegates	Per Trip	500	10	5,000
Subtotal							29,850
Organize training on Climate Change Adaptation and Water Catchment in 5 Partner States	UN06	2210501	Conference facilities	Per person	30	100	3,000
		2210301	Printing	Per Unit	80	19	1,520
		2240108	Consultant/F acilitator	Per person	500	10	5,000
		2230101	Air ticket- Staff	Per Trip	500	15	7,500
		2230102	Transport refund-	Per Trip	50	70	3,500
		2230114	DSA- Staff	Per Person	350	45	15,750
		2230115	DSA- Delegates	Per Person	350	105	36,750
Sub-total							73,020

0412100 Cost Centre:	Project and Programmes Office						
Objectives	M2M2B12						
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
Strengthen LVBC Information Hub to develop an LVB specific platform for Climate information	UN06	6110101	Information equipment	Unit	30,000	1	30,000
Sub-total							30,000
Organize two training of representatives from the National meteorological agencies in Partner States on downscaling regional Climate Information	UN06	2210602	Conference facilities	Per Person	30	320	9,600
		2230101	Air ticket-Staff	Per Trip	500	14	7,000
		2230102	Air Ticket-Delegates	Per Trip	500	50	25,000
		2230114	DSA- Staff	Per Person	350	84	29,400
		2230115	DSA- Delegates	Per Person	350	300	105,000
Sub- total							176,000
To support partner states to identify appropriate community-based adaptation-techniques	UN06	2610101	Relief/Grants & Transfers	Unit	16,000	5	80,000
Sub- total							80,000
To implement climate change adaptation technologies in Kenya	UN06	2610101	Relief/Grants & Transfers	Unit	1		181,254
To implement climate change adaptation technologies in Tanzania	UN06	2610101	Relief/Grants & Transfers	Unit	1		71,474
Sub-total							252,728
To provide small grants to projects proponents to implement small-scale community based adaptation projects in Kenya	UN06	2610101	Relief/Grants & Transfers	Unit	5	20,000	100,000

0412100 Cost Centre:	Project and Programmes Office						
Objectives	M2M2B12						
MTEF &Activity Description	Funding Source	Accounts Code	Description of Inputs	Unit Measure	Unit Cost of Inputs	Number of Units* & Qty*	Estimates
To provide small grants to projects proponents to implement small-scale community based adaptation projects in Tanzania	UN06	2610101	Relief/Grants & Transfers	unit	5	20,000	100,000
Sub-total							200,000
To hold a meeting to review proposals and select successful project proponents	UN06	2210505	Conference facilities	Person day	30	28	840
		2230101	Air ticket - Staff	Person trip	500	7	3500
		2230114	DSA-Staff	Person night	350	35	12250
		2240108	Contractual Professional services	Man day	500	30	15000
Sub Total							31,590
To organize a regional Forum of Researchers and technical experts & to develop joint research topics on transboundary water resources management and climate adaptation	UN06	2210501	Conference facilities	Person day	30	84	2,520
		2210301	Printing	pcs	80	20	1,600
		2210201	Communication costs	Units	100	5	500
		2230101	Air ticket-staff	Person Trip	500	8	4,000
		2230101	Air Ticket-Delegates	Person Trip	500	20	10,000
		2230114	DSA- Staff	Person day	350	32	11,200
		2230115	DSA - Delegates	Person day	350	80	28,000
Sub-Total							57,820
Grand Total							931,008

The Meeting observed that the UNEP has endorsed the work plan and disbursement schedule.

The Council adopted a supplementary budget amounting to USD 931,008 funded by UNEP to support the implementation of the Adapting to Climate Change in Lake Victoria Basin (ACC-LVB) Project activities and forwarded the same to EALA for appropriation (EAC/CM 43/ Decision 66).

6.1.14.3.2 Co-Management Project (University of Birmingham)

The Lake Victoria Fisheries Organization (LVFO) is implementing a collaborative project with the University of Birmingham named "Strengthening fisheries co-management on Lake Victoria, East Africa", awarded by the Economic and Social Research Council with the main objective to strengthen fisheries co-management on Lake Victoria.

The main objective is to strengthen fisheries co-management which is "a fisheries management approach where responsibility is shared between the government, fishing communities and other stakeholders". Co-management is a learning process and the activities will look at how it is practiced and ensure change to good fishing practices over time. The LVFO signed a Memorandum of understanding with the University of Birmingham United Kingdom (Copy attached) to implement the underlisted activities on the project.

Table F68

Directorate	Office of the Deputy Executive Secretary						
Cost Centre:	Co-Management						
Objective	Conduct a research impact project to strengthen fisheries co-management on Lake Victoria						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units * Qty	Estimates
Conduct a stakeholder workshop on the research impact project to strengthen fisheries co-management on Lake Victoria	University of Birmingham	2230115	DSA / ¼ DSA Delegates	Person Night	200.00	81	16,200.00
	University of Birmingham	2230101	Air ticket / mileage	Person Trip	500.00	10	5,000.00
	University of Birmingham	2210505	Hiring of Conference facilities	Unit	30.00	27	810.00
	University of Birmingham	2910801	Stationeries	Unit	1	466	466
Sub Total							22,476

The Meeting observed that the University of Birmingham has endorsed the work plan and disbursement schedule.

The Council adopted a supplementary budget for FY2022/2023 amounting USD 22,476 funded by University of Birmingham to implement the LVFO Co-Management Project activities and forward the same to EALA for appropriation (EAC/CM 43/ Decision 67).

6.1.14.3.3 FAO Tenure and User Rights

LVFO in collaboration with the Food and Agriculture Organization (FAO) of the United Nations and the University of Iceland is developing a regional a community management project for Lake Victoria. The Project aims to (a) Make the fishery economically efficient, which implies biological, economic and social sustainability; (b) Make sure that the resulting economic benefits go to fishing communities (fisherfolk); and (c) Maintain to the extent possible traditional social structure, i.e., the fishing communities.

The co-management regime will be between (i) the governing authority, (ii) fishing communities and (iii) fishers with well-defined roles for each party. The governing authority is expected to set key fisheries management measures, do overall enforcement of the fisheries management system and provide legal basis for the project to operate. The fishing communities are expected to receive rights in terms of shares (landings) and the areas around the community and regulate access to new community members and fishing vessels and define community-based bylaws for engagement and disengagement. These entitlements to the communities are to provide incentives for rebuilding of fish stocks but this still raises concerns whether the Partner States have appropriate legislations for implementation of a user rights-based fisheries community management regime. The LVFO signed a letter of Agreement (copy attached) with the Food and Agricultural Organization of the UN to implement the underlisted activities as part of the project preparation facility.

Table F69

Directorate	Office of the Deputy Executive Secretary						
Cost Centre	FAO-Community Management Project						
Objective	Facilitate /assist future tenure-/user-rights-based community management regimes and management structures to be implemented on Lake Victoria						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates
Conduct Project Preparatory meeting in Mukono	FAO	2230115	DSA / ¼ DSA Delegates	Person Night	233.00	39	9,087
	FAO	2230101	Air ticket / mileage	Person Trip	700	6	4,200
	FAO	2210505	Hiring of Conference facilities	Unit	30	78	2,340
	FAO	2210401	Hiring of Local Transport	Unit	20	15	300
	FAO	2910801	Stationeries				193
Sub-Total							16,120
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates

Training of stakeholders in the use of Community Mapping digital application	FAO	2230115	DSA / ¼ DSA Delegates	Person Night	176.00	96	16,896
	FAO	2230101	Air ticket / mileage	Person Trip	700	10	7,000
	FAO	2210505	Hiring of Conference facilities	Unit	30	72	2,160
	FAO	2210401	Hiring of Local Transport	Unit	20	15	300
	FAO	2910801	Stationeries	Set	74	1	74
Sub-Total							26,430
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates
Conduct Community Sensitization Meeting on implementation of User Rights system in Fisheries	FAO	2230115	DSA / ¼ DSA Delegates	Person Night	150.00	60	9,000
	FAO	2230101	Air ticket / mileage	Person Trip	700	11	7,700
	FAO	2210505	Hiring of Conference facilities	Unit	30	30	900
	FAO	2210401	Hiring of Local Transport	Unit	30	15	450
	FAO	2910801	Stationeries	Set	74	2	158
Sub-Total							18,208
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates
Conduct a legal study on user rights Management regime	FAO	2230115	DSA / ¼ DSA Delegates	Person Night	233.00	72	16,776
	FAO	2230101	Air ticket / mileage	Person Trip	700	6	4,200
	FAO	2210505	Hiring of Conference facilities	Unit	30	48	1,440
	FAO	2210401	Hiring of Local Transport	Unit	50	18	750
	FAO	2910801	Stationeries	Set	420	1	420
Sub-Total							23,586
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates
Convene and facilitate a Regional User Rights Conference	FAO	2230115	DSA / ¼ DSA Delegates	Person Night	216.00	15	3,240
	FAO	2230101	Air ticket / mileage	Person Trip	700	3	2,100

	FAO	2210505	Hiring of Conference facilities	Unit	30	10	300
	FAO	2210401	Hiring of Local Transport	Unit	50	5	250
	FAO	2910801	Stationeries	Set	26	1	26
Sub-Total							5,916
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates
Mapping of landing sites	FAO	2230115	DSA / ¼ DSA Delegates	Person Night	100.00	27	2,700
	FAO		Fuel	liter	1.5	400	600
	FAO	2910801	Stationeries	Set	133	1	133
Sub-Total							3,433
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units/Qty	Estimates
PCU Operating Costs and Contingencies	FAO	2230114	Facilitation of the Executives Directorate	DSA / ¼ DSA	62.5	50	3,125
	FAO	2240202	Operational Bank charges i.e Bank Service Charge, interest	monthly	112	12	1,344
Indirect Cost							4,469
GRAND TOTAL							98,162

The Meeting observed that FAO has endorsed the work plan and disbursement schedule.

The Council adopted a supplementary budget for FY2022/2023 amounting USD 98,162 funded by FAO to implement LVFO FAO Tenure and User Rights activities and forwarded the same to EALA for appropriation (EAC/CM 43/ Decision 68).

6.1.14.3.4 Aquaculture management and Development

The LVFO in partnership with FAO, WorldFish, and Landell Mills is implementing a project supported by the EU. The title of the project is “The True Fish Farming Story in Lake Victoria Basin (TRUEFISH)” The overall supervision of the project is coordinated by the Project Coordination Unit (PCU) at the LVFO Secretariat supported through a delegated Letter of Agreement between LVFO

and FAO. The 3rd LoA between the two parties was signed on 27th October 2022 to implement the underlisted activities:

Table F70

Directorate	Aqua Culture Management and Development						
Cost Centre:	Aqua Culture Management						
Objective	Promote Aqua Culture management						
Activity Description	Fundin g Source	Account s Code	Descriptio n of Input	Unit Measur e	Unit Cost of Input s	No of Units* Qty	Estimate s
Regional and International policy meetings / engagements	FAO	2230115	DSA / ¼ per diem	Person Night / Day	216	82	17,724
	FAO	2230101	Air tickets	Person Trip	500.00	10	5,000.00
	FAO	2210505	Hiring of Conference facilities	Unit	30.00	27	810.00
	FAO	2910801	Stationaries	Unit	1	466	466
Sub Total							24,000
Cost Centre	Public Relations						
Activity Description	Fundin g Source	Account s Code	Descriptio n of Input	Unit Measur e	Unit Cost of Input s	No of Units*Qt y	Estimate s
Visibility and communication	FAO						4,345.00
Sub Total							4,345.00
Cost Centre	Administration						
Activity Description	Fundin g Source	Account s Code	Descriptio n of Input	Unit Measur e	Unit Cost of Input s	No of Units*Qt y	Estimate s
PCU Operating Costs and Contingencies	FAO	2230114	Facilitation of the Executives Directorate s	DSA / ¼ DSA	62.5	2*30	3,750
	FAO	2240202	Operational Bank charges i.e Bank Service Charge, interest	monthly	40	12	1,200
Sub Total							4,950
Grand Total							33,295

The Meeting observed that the FAO has endorsed the work plan and disbursement schedule.

The Council adopted a supplementary budget for FY2022/2023 amounting USD 33,295 funded by FAO to implement LVFO TRUEFISH Project activities and forwarded the same to EALA for appropriation (EAC/CM 43/ Decision 69) .

6.1.14.3.5 EEOFISH Project

The Lake Victoria Fisheries Organization (LVFO) is implementing a Programme named Contribution of Sustainable Fisheries to the Blue Economy of the Eastern Africa, Southern Africa and Indian Ocean region” (EEOFISH) on Lake Victoria. The specific objective is to support sustainable management and development of fisheries, while addressing climate change resilience and enhancing marine biodiversity. The programme purpose is to support the implementation of fisheries management interventions thus contributing to the achievements of regional agreed protocols such as the Lake Victoria Fisheries Management Plan III, Nile perch Fishery Management Plan II, Guidelines for Species Specific Licensing for Lake Victoria, Regional plan of Action on to deter, and eliminate illegal, Unreported and Unregulated (IUU) fishing on Lake Victoria, Regional Plan of Action for the Management of Fishing capacity in Lake Victoria, guidelines for establishment and management of breeding and nursery areas and guidelines for co-management. The Addendum to the Programme Estimate (PE) to implement project activities in the financial year 2022-2023 was signed between LVFO and IOC and subsequently approved by EU Delegation, Mauritius on 24th January 2023 (copy attached).

Table F71

Directorate	Fisheries Management and Development						
Cost Centre:	Ecofish Project						
Objective	Promote sustainable fisheries						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
Conducting sensitization on the LVFO Convention in Partner States that are not yet signatories to the LVFO convention	EU ECOF	2230114	Executives	Number	350	6	2100
	EU ECOF	2230114	LVFO staff	Number	250	21	5250
	EU ECOF	2230115	Delegates	Number	250	22	5500
	EU ECOF	2230102	Air tickets	Person Trip	500	21	10500
	EU ECOF	2230102	Stationery & printing	Number	50	30	1500
	EU ECOF	2230102	Banner	Number	50	3	150
Sub - Total Activity					25,000		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates

Directorate	Fisheries Management and Development						
Cost Centre:	Ecofish Project						
Objective	Promote sustainable fisheries						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
Consultancy study on Nile Perch Certification and facilitation of the study validation meeting	EU ECOF	2900301	Consultancy	Number	27338	1	27338
	EU ECOF	2210501	Venue	Number	30	48	1440
	EU ECOF	2230114	Executives	Number	350	7	2450
	EU ECOF	2230114	LVFO staff	Number	250	8	2000
	EU ECOF	2230115	Delegates	Number	250	9	2250
	EU ECOF	2230115	Delegates	Number	250	26	6500
	EU ECOF	2230102	Air tickets	Person Trip	500	11	5500
	EU ECOF	2230102	Stationery & printing	Number	902	1	902
	EU ECOF	2230102	Local travel	Person Trip	30	9	270
Sub - Total Activity							48,650
					2022/23		
Activity Description	Funding Source and Project Code	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Strengthening collaboration with Regional Fisheries Management Organizations (RFMOs)– Particularly Lake Tanganyika Authority	EU ECOF	2210501	Venue	Number	30	32	960
	EU ECOF	2230114	Executives	Number	350	10	3500
	EU ECOF	2230114	LVFO staff	Number	250	25	6250
	EU ECOF	2230115	Delegates	Number	250	12	3000
	EU ECOF	2230102	Air tickets	Person Trip	500	12	6000
	EU ECOF	2230102	Stationery & printing	Number	50	2	100
	EU ECOF	2230102	Banner	Number	47.5	4	190
Sub - Total Activity							20,000
					2022/23		
Activity Description	Funding Source and Project Code	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Expansion and updating of the existing fisheries digital database	EU ECOF	2900301	Consultancy	Number	10040	1	10040
	EU ECOF	2210501	Venue	Number	30	56	1680
	EU ECOF	2230114	Executives	Number	350	1	350
	EU ECOF	2230114	LVFO staff	Number	250	2	500
	EU ECOF	2230115	Delegates	Number	250	20	5000
	EU ECOF	2230102	Air tickets	Person Trip	500	6	3000

Directorate	Fisheries Management and Development						
Cost Centre:	Ecofish Project						
Objective	Promote sustainable fisheries						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
	EU ECOF	2230102	Stationery & printing	Number	200	1	200
	EU ECOF	2230102	Local travel	Number	50	9	500
Sub - Total Activity					21270		
					2022/23		
Activity Description	Funding Source and Project Code	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Mark and protect biodiversity hotspots and breeding/nursery areas in selected parts of Lake Victoria	EU ECOF	2230115	Delegates	Number	250	28	7000
	EU ECOF	2230102	Local travel	Number	250	20	5000
	EU ECOF	2230102	Liters	Number	1.5	800	1200
Sub - Total Activity					13,200		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Plan the implementation of Regional MCS operations	EU ECOF	2210501	Venue	Number	30	26	780
	EU ECOF	2230114	Executives	Number	350	3	1050
	EU ECOF	2230114	LVFO staff	Number	250	6	1500
	EU ECOF	2230115	Delegates	Number	120	18	2160
	EU ECOF	2230102	Air tickets	Person Trip	500	6	3000
	EU ECOF	2230102	Stationery & printing	Number	500	6	3000
	EU ECOF	2230115	MCS Expert	Number	0	1	0
	EU ECOF	2230102	Stationery		41	1	41
	EU ECOF	2230102	Local travel		50	8	400
Sub - Total Activity					11931		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Conduct Training on handling and use of MCS equipment	EU ECOF	2210501	Venue	Number	30	20	600
	EU ECOF	2230114	Executives	Number	180	2	360
	EU ECOF	2230114	LVFO staff	Number	120	6	720
	EU ECOF	2230115	Delegates	Number	500	3	1500

Directorate	Fisheries Management and Development						
Cost Centre:	Ecofish Project						
Objective	Promote sustainable fisheries						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
	EU ECOF	2230102	Air tickets	Person Trip	120	18	2160
	EU ECOF	2230102	Stationery & printing	Number	500	6	300
	EU ECOF	2230102	Stationery	Number	300	1	300
	EU ECOF	2230102	Local travel	Number	50	5	250
Sub - Total Activity					8640		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Conduct Training in enforcement, compliance and prosecution procedures	EU ECOF		Consultancy	Number	27856	1	27856
	EU ECOF	2210501	Venue	Number	60	30	1800
	EU ECOF	2230114	Executives	Number	4	180	720
	EU ECOF	2230114	LVFO staff	Number	12	120	1440
	EU ECOF	2230102	Air tickets	Person Trip	4	500	2000
	EU ECOF	2230115	Delegates	Number	56	120	6720
	EU ECOF	2230102	Air ticket	Person Trip	12	500	6000
	EU ECOF	2230102	Stationery & printing	Number	1	300	300
	EU ECOF	2230102	Local travel	Number	5	50	250
	EU ECOF	2210501	Venue	Number	60	30	1800
	EU ECOF	2230115	Delegates	Number	90	90	8100
	EU ECOF	2230102	Air tickets	Person Trip	4	300	1200
	EU ECOF	2230102	Stationery & printing	Number	1	300	300
	EU ECOF	2230102	Local travel	Number	44	50	2200
Sub - Total Activity					31,674		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Convene and facilitate one regional technical workshop on EAFO	EU ECOF	2210501	Venue	Number	30	40	1200
	EU ECOF	2230114	Executives	Number	180	6	1080
	EU ECOF	2230114	LVFO staff	Number	120	9	1080
	EU ECOF	2230115	Delegates	Number	120	36	4320
	EU ECOF	2230102	Air tickets	Person Trip	500	13	6500
	EU ECOF	2230102	stationary	Number	200	1	200
	EU ECOF	2230102	Local travel	Number	5060	10	500
Sub - Total Activity					14,880		

Directorate	Fisheries Management and Development						
Cost Centre:	Ecofish Project						
Objective	Promote sustainable fisheries						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Convene and facilitate one multisectoral validation workshop on EAFO	EU ECOF	2210501	Venue	Number	30	31	930
	EU ECOF	2230114	Executives	Number	350	2	720
	EU ECOF	2230114	LVFO staff	Number	250	5	1250
	EU ECOF	2230115	Delegates	Number	350	16	5600
	EU ECOF	2230102	Air tickets	Person Trip	500	25	12500
	EU ECOF	2230102	stationary	Number	300	1	300
	EU ECOF	2230102	Local travel	Number	50	4	200
	EU ECOF	2230102	Printing	Number	10	200	200
Sub - Total Activity					21700		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Conduct Project Steering Committee meeting	EU ECOF	2210501	Venue	Number	30	32	960
	EU ECOF	2230114	Executives	Number	350	3	1050
	EU ECOF	2230114	LVFO staff	Number	350	6	2100
	EU ECOF	2230115	Delegates	Number	350	13	4550
	EU ECOF	2230102	Air tickets	Person Trip	500	5	2500
	EU ECOF	2230102	stationary	Number	300	1	300
	EU ECOF	2230102	Local travel	Number	100	1	100
Sub - Total Activity					11,560		
					2022/23		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Procure Equipment for licensing database (service/supply contracts)	EU ECOF	2900301	Equipment	Number	4234	1	4234
Sub - Total Activity					4234		
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units*Qty	Estimates
Equipment for breeding areas (Supply contract)	EU ECOF	2900301	Equipment	Number	37350	1	37350

Directorate	Fisheries Management and Development						
Cost Centre:	Ecofish Project						
Objective	Promote sustainable fisheries						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
Sub - Total Activity				Number			37350
Procure equipment for MCS	EU ECOF	2900301	Equipment	Number	113,400	1	113,400
Sub - Total Activity					113,400		
Grand Total							383,489

The Meeting observed that the European Union has endorsed the work plan and disbursement schedule.

The Council adopted a supplementary budget for FY2022/2023 amounting USD 383,489 funded by European Union through the Indian Ocean Commission (IOC) to implement LVFO E€OFISH Project activities and forward the same to EALA for appropriation (EAC/CM 43/ Decision 70).

6.1.14.3.6 Request for borrowing from LVFO Reserve fund to implement final activities under the GIZ-RFBC Project

LVFO has been implementing activities under the above mention project since June 2018 and has been contributing mainly to *OUTPUT B: SUSTAINABLE FISH*. The information generated has been used to inform the investment in Nile perch especially at the time when there was observed changes in stock biomass of Nile perch, coupled with reopening and closing of a number of fish processing factories. Consultancy studies on fish maw that have been undertaken through the project support has provided very important milestones in informing the three Riparian Governments to mainstream and regulate its business from the extraction all the way to export of this highly valued product. Investments through building capacity in E-CAS system and associated equipment, refurbishment of a research vessel used for hydro-acoustics, review of Standard Operating Procedures and development of Co-management guidelines and fisheries management plans are some of the core activities that the Partner States have implemented through the project support.

However, the above-mentioned project which has provided all the mentioned benefits to East Africans is coming to an end on 31st March 2023. At the project closes, three activities have not been fully implemented including two which have been initiated. However, Section 1.5 of the Annex IV to funding agreement (copy attached) explicitly provides for 5% of the total Grant agreement as **Retention fees** that is retained by the Development Partner and get released

to LVFO upon completion and verification of all project activities. The LVFO therefore request to brow a total of USD 86,210 (US Dollars: Eighty-six thousand two hundred ten) from the LVFO Reserve fund, implement the underlisted activities, report to GIZ, receive the retention fees and refund to the reserve.

Table F72

Directorate	Fisheries Resources Monitoring and Research						
Cost Centre:	Fisheries and Aquaculture Resources Monitoring						
Objective	Ensuring sustainable natural resource use, management and conservation, environmental sustainability, and climate change management						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
Scenario modelling to generate effective management regimes with environmental sustainability of Lake Victoria fisheries	FB01	2230102	Air ticket/Mileage - Delegates (Air Ticket EAC-Delegate & Consultants Incl Mileage)	Unit	500	8	4,000
	FB01	2240108	Consultancy Fees & Reimbursable (Contracted Professional Services-Consultancy Fees)	Man-day	500	43	21,500
	FB01	2230102	Other Transport Equipment (e.g Boats/Ships)	Unit	50	15	750
	FB01	2230115	DSA or 1/4DSA - Delegates (DSA Full Delegates & Consultants)	Person Night	87.5	45	15750
	FB01	2210505	Hiring of Conference Facilities	Person Day	30	45	1350
Sub Total							43,350
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
Sensitization and operationalization of the revised and approved Co-Management Guidelines	FB01	2230102	Air ticket/Mileage - Delegates (Air Ticket EAC-Delegate & Consultants Incl Mileage)	Unit	500	10	5,000
	FB01	2230102	Other Transport Equipment (e.g Boats/Ships)	Unit	50	76	3,800
	FB01	2230115	DSA or 1/4DSA - Delegates (DSA	Person Night	87.5	172	15,050

Directorate	Fisheries Resources Monitoring and Research						
Cost Centre:	Fisheries and Aquaculture Resources Monitoring						
Objective	Ensuring sustainable natural resource use, management and conservation, environmental sustainability, and climate change management						
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
			Full Delegates & Consultants)				
	FB01	2210505	Hiring of Conference Facilities	Person Day	30	172	5,160
Sub Total							29,010
Activity Description	Funding Source	Accounts Code	Description of Input	Unit Measure	Unit Cost of Inputs	No of Units* Qty	Estimates
Hydroacoustic data analysis and report preparation workshop	FB01	2230102	Air ticket/Mileage - Delegates (Air Ticket EAC-Delegate & Consultants Incl Mileage)	Unit	500	3	1,500
	FB01	2230115	DSA or 1/4DSA - Delegates (DSA Full Delegates & Consultants)	Person Night	87.5	84	7,350
	FB01	2210505	Hiring of Conference Facilities	Person Day	30	105	3,150
	FB01	2,210,801	Stationery (i.e Paper, Pencils, Pens etc)	Person Day	50	3	150
	FB01	2230102	Other Transport Equipment (e.g Boats/Ships)	Unit	50	34	1,700
Sub Total							13,850
Grand Total							86,210

The Meeting observed the need for the Community to grant borrowing from LVFO reserve fund to facilitate completion of the project activities to allow GIZ-RFBC to release the retention fees. LVFO be directed to withdraw funds from the current account which has balance of USD 524,000.

The Council:

- a) approved borrowing of funds amounting USD 86,210 from the LVFO Reserve Fund to implement the final GIZ-RFBC project activities (EAC/CM 43/ Decision 71); and

- b) directed LVFO to refund USD 86,210 to the LVFO Reserve Fund immediately after receiving retention fees from GIZ-RFBC (EAC/CM 43/ Directive 44).

6.2 SECTION II – REQUESTS FOR SUPPLEMENTARY BUDGET THAT WERE NOT PRESENTED TO THE FINANCE AND ADMINISTRATION COMMITTEE

6.2.1 REQUEST FOR SUPPLEMENTARY BUDGET BY THE ASSEMBLY

a) SUPPLEMENTARY BUDGET FOR THE EAC INTER-PARLIAMENTARY GAMES TO BE HELD IN THE REPUBLIC OF SOUTH SUDAN: USD.55,000.

According to the Approved Programme for the Assembly the EAC Inter-Parliamentary Games were held in the Republic of South Sudan up between November and December 2022.

The approved budget for the games in the FY2022/2023 budget does not include provision for the following important items for the Inter-Parliamentary Games; refreshments for the teams, hired transport for the teams, medical logistics, game materials and the pre-games conference facilities. The Assembly requests additional funds to facilitate the Inter-Parliamentary Games.

The **Table F73** below shows the required funds:

Long Term target	Strengthening the capacity of EAC Organs and Institutions to effectively execute their mandates								
Annual Target	Effective and efficient participation of the Assembly in the 2022 EAC Inter-Parliamentary Games in the RSS December, 2022								
	MTEF Budget Code	Activity description	Funding Source and Code	Accounts Code	Description of input	Unit of Measure	Unit cost of inputs	No. of Units	Estimates
	M5G1	To facilitate the Assembly teams in the EAC inter-parliamentary games tournament for 12 days.	Partner States ZP01	2210401	Hire of transport	Vehicle	250	52	13,000
				2210505	Hire of conference facilities	Person/day	30	1200	36,000
				2210508	Logistics for meetings	unit	500	12	6,000
				Total					55,000

The Council referred the request for supplementary budget for the EAC Inter-Parliamentary Games to the Finance and Administration Committee for consideration and report to the 44th Council (EAC/CM 43/ Decision 72).

b) SUPPLEMENTARY BUDGET FOR THE INAUGURATION PLENARY OF THE 5TH ASSEMBLY: USD 326,580.

The tenure of the 4th Assembly will come to an end on 17th December, 2022. Part III of the Rules of Procedure of the Assembly which provides for the Proceedings in a New Assembly, requires the Assembly to be inaugurated as part of the First Sitting of the Assembly.

The statutory activities required to be undertaken for purposes of the First Sitting of the Assembly (1st Plenary) include the following:

- (a) gazetting names of the elected Members in the Community Gazette;
- (b) notification of elected members of the first sitting of the 5th Assembly;
- (c) facilitating each elected member to attend the First Sitting to take oath/affirmation;
- (d) Facilitating the election of the Speaker of the Assembly
 - (i) reviewing and adopting the electoral rules
 - (ii) picking and returning forms for candidates for Speaker;
 - (iii) campaigning for Speaker;
- (e) Constituting the EALA Commission
 - a. Nomination of candidates
 - b. Election of members of the Commission
- (f) Election of Chairpersons of Committees;

From the experience of the 1st to 4th Assembly, this activity takes six (06) days, yet the funds allocated for this activity in the budget can only cover activities for two (02) days and exclude the following:

- (a) tickets to transport the Members to Arusha;
- (b) Transport for members;
- (c) facilitation for Ex-officio Members (Ministers of EAC Affairs);
- (d) sitting allowances for the Members;
- (e) facilitation for invited key guests;
- (f) ceremonial logistics; among others.

The Assembly is requesting for additional funds to be able to fulfil its statutory duties under the Treaty and the Rules of Procedure of the Assembly in relation to the 5th Assembly.

The **Table F74** below shows the required funds:

Long Term Target	BUDGET TO FACILITATE THE INAUGURATION OF THE 5TH ASSEMBLY
	Strengthening the capacity of all EAC Organs and Institutions to effectively execute their mandates
Annual Target	Inaugurate the 5th Assembly

	MTEF Budg et Code	Activity Description	Funding Source and Code	Accounts Code	Description input	Unit of Measure	Unit Cost of inputs	No. of Units Qty	Estimates
	M5G1	To facilitate the inaugural 1st meeting of the 5th Assembly: 18th - 22nd of December, 2022, Arusha - Tanzania	Partner States ZP01	2230104	Air tickets (MPs)	person	1000	63	63,000
				2210401	Hired Transport (Ministers)	vehicle	250	35	8,750
				2210401	Hired Transport (MPs)	vehicle	250	35	8,750
				2230117	DSA- full Members	person Night	400	186	74,400
				2230117	DSA - Speaker	Person /night	450	3	1,350
				2240104	Sitting Allowance	Person Day	160	310	49,600
				2240104	Sitting Allowance (Speaker)	Person Day	200	5	1,000
				2230104	Local Transport	Person	200	62	12,400
				2240104	Sitting Allowance - Ex-officio	person Night	160	60	9,600
				2210505	cocktail/Dinner	person	80	280	22,400
				2210508	Meeting logistics	person	50	100	5,000
				2210508	Promotional Materials	pcs	2000	1	2,000
				2210508	Security	Person Day	20	15	1,500
				2230114	Media - Journalists	Person Day	250	5	6,250
				2210508	Public relations	Person Day	20	80	1,600
				2230101	Air tickets	person	500	6	3,000
				Invited guests to the inauguration					9,000
				2230117	Former Secretary Generals	Person Day	450	20	11,250
				2230117	Former Speakers	Person Day	450	25	9,000
				2230104	Air tickets	person	1000	9	13,500
				2210401	Ground Transport (Hire)	vehicle	250	54	13,500

					Vehicles Former SGs &SPs)				
	Total								326,580

* 63 elected Members, 12 Ex-officio Members, 5 Former Speakers, 4 Former SGs.

The Council referred the request for supplementary budget for the inauguration of the 5th Assembly to the Finance and Administration Committee for consideration and report to the 44th Council (EAC/CM 43/ Decision 73).

c) REQUEST FOR SUPPLEMENTARY BUDGET OF USD. 380,200 FOR THE INDUCTION OF MEMBERS OF THE 5TH ASSEMBLY:

Rule 5 (3) of the Rules of Procedure of the Assembly requires the Clerk to carry out an induction for the Members on the provisions of the Treaty, the laws of the Community and the Rules immediately after the Administration of Oath or affirmation to members.

Some of the major areas in the induction include will but are not limited to the following:

- i) Application of Rules of Procedures, the EAC Treaty, EAC Protocols, the major EAC Acts.
- ii) The key pillars of the EAC integration as well as from other regions of the world.
- iii) The functions and mandate of the Assembly.
- iv) The EAC Development Strategy, including the priorities and Key developments in the Community.
- v) Relations between EALA and national parliaments;
- vi) The Role of Committees of the Assembly;
- vii) Relations between EAC organs and Institutions
- viii) Tools to enhance the work of Members
- ix) The tenets and principles of the Westminster Parliamentary model and how to integrate them within EALA

The Assembly requests the Council for additional funds to be able to conduct the induction for the new Assembly as required by the Rules of Procedure of the Assembly. The **Table F75** below shows the required funds:

Long Term Target	BUDGET TO FACILITATE THE INAUGURATION OF THE 5TH ASSEMBLY									
	Strengthening the capacity of all EAC Organs and Institutions to effectively execute their mandates									
Annual Target	Inaugurate the 5th Assembly									
	MTE F Bud get Code	Activity Description	Funding Source and Code	Accou nts Code	Description input	of Unit Measure	Unit Cost of inputs	No. of Units Qty	Estimates	
	M5G 1	To facilitate the induction and capacity building for new Members of the 5 th Assembly (MPs; Ministers; Staff; Resource persons)	Partner States ZP01	223010 4	Air tickets (MPs)	person	1000	63	63,000	
				221040 1	Hired Transport for MPs	vehicle	250	30	7,500	
				221040 1	Hired Transport (Ministers)	vehicle	250	42	10,500	
				223011 7	DSA- full Members	person Night	400	372	148,800	
				223011 7	DSA - Speaker	Person /night	450	6	2,700	
				221050 5	Professional Fees for Resources persons	fees	500	48	24,000	
				223011 4	DSA -P	Person /night	350	105	36,750	
				223011 4	DSA- G	Person /night	250	105	26,250	
				221050 5	Conference package	person	30	650	19,500	
				221050 8	Conference bags, information materials...	Person	50	100	5,000	
				221050 8	Meeting logistics	Person	50	100	5,000	
				221050 8	Security	Person / Day	20	60	1,200	
				223010 1	Air tickets – Resource persons	person	500	60	30,000	
		Total								380,200

The Council referred the request for supplementary budget for the induction of members of the 5th Assembly to the Finance and Administration Committee for consideration and report to the 44th Council (EAC/CM 43/ Decision 74).

d) CLAIM FOR ARREARS FOR EALA – STAFF: USD 116,900.

The Clerk received a claim of USD.116,900 as arrears by the staff of the Assembly who facilitated the General-Purpose Committee and Plenary during the 2020/2021 financial year when the Assembly was sitting virtually. The arrears are in respect of technical support provided to the General- Purpose Committee, when the Committee and the Assembly were sitting virtually, by the Clerk, Clerks Assistant and support staff to the Committee.

The Claim for arrears for the Staff of the Assembly who facilitated the General-Purpose is presented in the **Table F76** below-

DATE	DETAILS OF THE ACTIVITY	AMOUNT IN USD	AMOUNT IS USD
18 - 21.4.2020:	EAC PHARMACEUTICAL BILL - GPC		
	Per diem USD 350 * 4 days * 1 staff	1,400	
	Per diem USD 250 * 4 days * 2 pax	2,000	3,400
22 – 25.04.2020:	CONSIDERATION OF THE COUNCIL REPORT ON EAC COMMON FOREIGN AND SECURITY POLICIES		
	Per diem USD 350 * 4 days		1,400
	Per diem USD 250 * 4 days	1,000	2,400
17 – 22.05.2020:	SENSITISATION ACTIVITY		
	Per diem USD 350 * 6 days * 2 staff		4,200
	Per diem USD 250 * 6 days * 5 staff	7,500	11,700
29 - 30.6.2020	EAC Vote on Account		
	Per diem USD 350 * 2 days * 1 staff		700
	Per diem USD 250 * 2 days * 2 staff	1,000	1,700
12.08.2020:	Special Sitting - EAC Annual Budget Estimates for 2020/21		
			(Vote on Account)
	Per diem for Prof Staff USD 350 * 5 pax * 1 day		1750
	Per diem for Gen Staff USD250 * 7* 1 day	1,750	3,500
13 - 25.08.2020:	General Purpose Committee - EAC Annual Budget Estimates 2020/2021		
	Per diem USD 350 * 13 days * 1 staff		4,550
	Per diem USD 250 * 13 days * 2 staff	6,500	11,050
28.08.2020:	General Purpose		

Committee - EAC Annual Budget Estimates 2020/2021		
Per diem USD 350 * 1 day * 1 staff		350
Per diem USD 250 * 1 day * 2 staff	500	850
31.8 - 16.9.2020: General Purpose Committee - EAC Annual Budget Estimates 2020/2021		
Per diem USD 350 * 19 days * 1 staff		6,650
Per diem USD 250 * 19 days * 2 staff	9,500	16,150
25.9 - 15.10.2020: Special Sitting - EAC Annual Budget for 2020/2021		
Per diem USD 350 * 21 days * 4 staff		29,400
Per diem USD 250 * 21 days * 7 staff	36,750	66,150
TOTAL		116,900

The arrears of the technical and support staff of the General-Purpose Committee and Plenary were considered by the Committee which accordingly directed the Clerk to submit the claim to the Council to authorize a supplementary budget to settle the claim.

The Council referred the request for supplementary budget for arrears for the technical and support staff who supported the General- Purpose Committee and the Assembly in Plenary when it was sitting virtually EAC Inter-Parliamentary Games to the Finance and Administration Committee for consideration and report to the 44th Council (EAC/CM 43/ Decision 75).

(e) General observation on finance and administration

The Council observed that the Budget and Finance matters required critical consideration and that the time allocated to the Coordination Committee was not adequate for a comprehensive analysis. It was therefore imperative that in future meetings more time is allocated to the Coordination Committee for consideration of budget and finance matters of the Community.

The Council directed:

- (a) the EAC Secretariat to ensure that in subsequent meetings of the Council, a full day is allocated to the Coordination Committee to consider budget and finance matters of the Community (EAC/CM 43/ Directive 45);**
- (b) that all agenda items for the consideration of the Council should be presented to the Coordination Committee for processing before presentation to the Council (EAC/CM 43/ Directive 45A)**

PART VII: HUMAN RESOURCE MATTERS

7.1 STATUS OF REPORTING ON DUTY FOR CANDIDATES APPOINTED BY THE 47TH EXTRA-ORDINARY MEETING OF THE COUNCIL OF MINISTERS

The Council was informed that the 47th Extra-Ordinary meeting of the Council of Ministers appointed successful candidates for various vacant positions. The 42nd Meeting of the Council directed the Secretariat to report on status of the recruited staff. The Session was informed the majority of the candidates appointed, reported for duty. The Status of reporting of recruited staff is detailed in the table below.

Table 14: Status of Reporting of Recruited Staff

Organ/Institution	Number of appointed staff	Number of staff reported on duty	Number of staff who did not assume the position
EAC Secretariat	15	10	5
EALA	2	2	-
EACJ	6	6	-
EASTECO	2	2	-
EAHRC	4	3	1
LVBC	3	3	-
EAKC	3	2	1
EACA	2	2	-
TOTAL	37	30	7

The Council observed that a total of 37 positions were appointed out of which 30 persons reported on duty. 1 project position was withdrawn by the funder (Development Partner) and 1 project position was advertised following an objection from the funder. Out of the 37 persons appointed 5 did not report on duty.

The Secretariat informed the Session that according to regulation 25(1) of the Staff Rules and Regulations, *it will be assumed that the offer has been rejected if it is not accepted within three months of the offer. In such a situation, the next qualified candidate may be considered for the post or the post may be advertised.*

The Session observed that:

- (c) The EAC Staff Rules and Regulations provide that where a position is not accepted within three months of the offer, it will be assumed that the offer has been rejected.
- (d) Once a job offer has been made and the person does not take up the offer, it is more appropriate to advertise the position.

- (e) Where a position is not ring-fenced for a particular Partner State, readvertisement for the position should be done in all Partner States to allow all candidates participating to compete favourably.
- (f) Although the Community may consider the next qualified candidate, this may not be possible due to the time that has lapsed since the offer of employment was made.
- (g) At the time of those appointment, the positions were distributed equally among the Partner States.

The Council:

- (a) Reiterated its decision of the 47th Extraordinary Council (*EAC/EX CM 47/Decision 15*) appointing Mr. Aime Uwase to the position of Director Planning (P5) (EAC/CM 43/ Decision 76);
- (b) Appointed Mr. Simeon Kwitegetse to the position of Principal Administrative Officer with effect from the date of reporting on duty (EAC/CM 43/ Decision 77); and
- (c) Decided that in accordance with regulation 25 of the Staff Rule and Regulations, the position of Executive Secretary Health Research Commission and Principal Research Development Officer at Kiswahili Commission be readvertised in all the Partner States and the quota points will be applied at the point of consideration of candidates for appointment (EAC/CM 43/ Decision 78).

7.2 CONFIRMATION IN APPOINTMENT OF STAFF FOR VARIOUS POSITIONS

The 47th Extra-Ordinary Meeting of the Council of Ministers held from 4th - 6th April, 2022 appointed staff for several positions and have reported on duty.

They served the probation period of six months. The immediate supervisors prepared the performance appraisal covering the above period. The report recommended the staff to be confirmed in service. A due diligence has been undertaken and the report confirming that the information provided in their applications is in line with the EAC Staff Rules and Regulations (2006). The report is hereby attached as **Annex XXXI**.

The Council considered the Staff who were due for confirmation as presented in table 15 below.

Table 15: Staff confirmed in the service of the Community

S/N	NAME	POSITION
SECRETARIAT		
1	Dr. Irene Charles Isaka	Director Social Sectors (P5)
2	Mr. Julius Muthwii Mbat	Police Liaison Officer (P5)
3	Mr. Nzeyimana Eric	Principal Health Officer (P3)

S/N	NAME	POSITION
4	Mr. Godfrey Addison Enzama	Principal Civil Engineer (P3)
5	Mr. Paul Christian Rwegasha	Principal Civil Aviation Officer (P3)
6	Ms. Grace Ivy Odongo	Principal Human Resource Officer (P3)
7	Mr. Ramadhan Mfaume	Senior Standards Officer (P2)
8	Mr. Julius Simon Otim	Senior Health Officer (P2)
9	Ms. Annette Kenganzi Bazhiginywa	Senior Exports Promotion Officer
10	Mrs. Beatrice Rono	Senior Budget Officer
EALA		
11	Mr. Alex Obatre Lumumba	Clerk For East African Legislative Assembly (P5)
12	Mr. John Njoroge	Deputy Clerk for East African Legislative Assembly (P4)
EACJ		
13	Ms. Christine Mutimura Wekesa	Deputy Registrar for East African Court of Justice (P4)
14	Mr. Ferdinand Nakintije	Court Administrator at the East African Court of Justice (P2)
15	Ms. Nina Edward Mongoi Sokoine	Personal Assistant to Judge President at the EACJ (P2)
16	Ms. Betty Kamunvi Nankya	Senior Personal Secretary at the East African Court of Justice (G5)
17	Ms. Dorcas Anyango Onyiso	Senior Personal Secretary at the East African Court of Justice (G5).
18	Ms. Mildred Ogani Atieno	Personal Secretary – EACJ
EACA		
19	Ms. Stella Nyambeki Onyancha	Deputy Registrar Monopolies and Cartels (P5)
20	Ms. Neema Migosi Mitiambo	Senior Personal Secretary
EAHRC		
21	Ms. Jane Humpfrey Mashingia	Principal Ethics, Regulatory Affairs and Research Environment Officer (P3)
22	Mr. Leonard Ntakarutimana	Principal Knowledge Management Officer (P3)
23	Novat Twungubumwe	Deputy Executive Secretary (P5)
EASTECO		

S/N	NAME	POSITION
24	Mr. Sylvance Okeyo Okoth	Executive Secretary, East African Science and Technology Commission
25	Mr. Muyambi Fortunate	Deputy Executive Secretary (P5) – EASTECO
LVBC		
26	Dr. Masinde Kahitira Bwire	Executive Secretary, Lake Victoria Basin Commission
27	Ms. Coletha Ruhanya	Deputy Executive Secretary (P5)
28	Mr. David Mlote	Legal Officer (P1)
EAKC		
29	Dr. James Jowi Otieno	Deputy Executive Secretary (P5)
30	Dr. Asiimwe Caroline	Principal Curriculum Development Officer (P3)

The Council confirmed the 30 members of staff listed in the table 15 above in the service of the Community with effect from the dates of reporting on duty (EAC/CM 43/ Decision 79).

7.3 CONSIDERATION OF THE INTERVIEW REPORT FOR RE-ADVERTISED POSITIONS

The Council during its 43rd Meeting directed that the Secretariat re advertised positions where only one candidate was shortlisted, positions where only candidates from only one Partner State were shortlisted and positions where Uganda was left out in the background information. In addition, the Council reserved 11 positions to be re-advertised only to the Republic of South Sudan as an affirmative measure.

These positions were re-advertised and shortlisting for the positions was carried out by representatives of the Partner States and the EAC Secretariat in line with the Council directive. Thereafter, in September, 2022 (5th to 17th September, 2022), the Secretariat convened an interview panel to conduct interviews for the shortlisted positions.

The interview exercise was carried out for the following positions:

I. Positions advertised for all Partner States (including re advertised for the Republic of Uganda)

1. Executive Secretary (D1) - EAC Kiswahili Commission
2. Deputy Registrar Mergers and Acquisitions (P5) - EAC Competition Authority
3. Accountant (KFW) (P1) - EAC Secretariat

4. Senior System Analyst (P2) - EAC Secretariat
5. Hansard Editor (P2) - EALA
6. Hansard Reporter (P1) - EALA
7. Accountant (P1) - LVBC
8. Senior Clerk Assistant (P2) - EALA
9. Project Technical Administrative Officer (P2),

The Council was informed by the Secretariat that the position of Project Technical Administrative Officer (P2), had been withdrawn by the Development Partner and would not be considered by the session.

The Council observed that in respect of the position for Accounts Assistant under the EAC Competition Authority, no candidate obtained the pass mark of 70.

The Council considered the following candidates for appointment:

Table 16: List of candidates for appointment in the service of the Community

S/N	Position	Name of candidate	Grade	Gender	Nationality
EAKC					
1	Executive Secretary	Caroline Asimwe	D1	Female	Ugandan
EACA					
1.	Deputy Registrar, Mergers & Acquisitions	Okoth Vincent	P5	Male	Ugandan
EAC SECRETARIAT					
1.	Project Accountant, KfW	Stanley Mono	P1	Male	Tanzania
2.	Senior Systems Analyst	Adede Chrisgone Otieno Stanley	P2	Male	Kenyan
3.	Procurement Officer	James Chol Deng Nuer	P1	Male	South Sudanese
4.	Network Assistant	Musa Alex Yairo Genyi	G4	Male	South Sudanese
EAST AFRICAN LEGISLATIVE ASSEMBLY					
1.	Hansard Editor	Sharon Atuhaire Mugabe	P2	Female	Ugandan
2.	Hansard Reporter	Winnie Mandela	P1	Female	Kenyan
3.	Senior Clerk Assistant	Joyce Wilfred Uloy	P2	Female	Tanzanian

S/N	Position	Name of candidate	Grade	Gender	Nationality
4.	Senior Clerk Assistant	Robert Adebuason	P2	Male	Uganda
5.	Senior Clerk Assistant	Manzi Victor	P2	Male	Uganda
6.	Network Administrator	Makuei Deng De Mabior	P2	Male	South Sudanese
7.	Senior Public Relations Officer	Ajak Nicodemus Bior	P2	Male	South Sudanese
LVBC					
1.	Accountant	Dorcas Ayuko Siloya	P1	Female	Kenyan
2.	Economist/Planning Officer	Hoth Tot Chay	P2	Male	South Sudanese
3.	Human Resource Officer	Toffique Samuel Ruba	P1	Male	South Sudanese
4.	Information Technology Officer	Patrick Sabuni Taban	P1	Male	South Sudanese
EAHRC					
1.	Senior ICT Officer	Papa Kodo Philip Silvano	P2	Male	South Sudanese
2.	Procurement Officer	Robert Amoko	P1	Male	South Sudanese

II. Positions reserved for the Republic of South Sudan as affirmative action

1. Network Administrator (P2) - EALA
2. Accounts Assistant (G5) - EACA
3. Senior ICT Officer (P2) - EAHRC
4. Security Officer (P1) - EAC Secretariat
5. Economic / Planning Officer (P2) - LVBC
6. Procurement Officer (P1) - EAC Secretariat
7. Human Resources Officer (P1) - LVBC
8. Senior Public Relations Officer (P2) - EALA
9. Procurement Officer (P1) - EAHRC
10. Network Assistant (G4) - EAC Secretariat
11. Information Technology Officer (P1) – LVBC

The Interview Panel considered the performance of each interviewed candidate and recommends for consideration of candidates who have obtained the pass mark of 70%.

The Council observed that no candidate for the position of Accounts Assistant (G5) – EACA which was reserved for RSS, attained the required pass mark. It was proposed that this position be re-advertised in the RSS only.

The Council:

- (a) granted dispensation and appointed Winnie Mandela from the Republic of Kenya, Joyce Wilfred Uloy from the United Republic of Tanzania, Robert Adebuaason, Sharon Atuhaire Mugabe and Manzi Victor from the Republic of Uganda to positions in the East African Legislative Assembly subject to no objection by the EALA (EAC/CM 43/ Decision 80);
- (b) granted dispensation and appointed Caroline Asimwe as Executive Secretary, East African Kiswahili Commission (EAC/CM 43/ Decision 81); and
- (c) appointed 12 officers listed in Table 17 below in the service of the Community (EAC/CM 43/ Decision 82).

Table: 17: Persons appointed in the Service of the Community

S/N	Position	Name of candidate	Grade	Gender	Nationality
EAKC					
1	Executive Secretary	Caroline Asimwe	D1	Female	Ugandan
EACA					
1.	Deputy Registrar, Mergers & Acquisitions	Okoth Vincent	P5	Male	Ugandan
EAC SECRETARIAT					
1.	Project Accountant, KfW	Stanley Mono	P1	Male	Tanzania
2.	Senior Systems Analyst	Adede Chrisgone Otieno Stanley	P2	Male	Kenyan
3.	Procurement Officer	James Chol Deng Nuer	P1	Male	South Sudanese
4.	Network Assistant	Musa Alex Yairo Genyi	G4	Male	South Sudanese
LVBC					
1.	Accountant	Dorcas Ayuko Siloya	P1	Female	Kenyan
2.	Economist/Planning Officer	Hoth Tot Chay	P2	Male	South Sudanese

S/N	Position	Name of candidate	Grade	Gender	Nationality
3.	Human Resource Officer	Toffique Samuel Ruba	P1	Male	South Sudanese
4.	Information Technology Officer	Patrick Sabuni Taban	P1	Male	South Sudanese
EAHRC					
1.	Senior ICT Officer	Papa Kodo Philip Silvano	P2	Male	South Sudanese
2.	Procurement Officer	Robert Amoko	P1	Male	South Sudanese

(d) directed the Secretariat to submit the names of the 7 persons specified in table 18 to seek a no objection from the Assembly in respect of their appointment (EAC/CM 43/ Decision 83).

Table: 18: Persons to be Submitted to EALA for no objection

S/N	Position	Name of candidate	Grade	Gender	Nationality
1.	Hansard Editor	Sharon Atuhaire Mugabe	P2	Female	Ugandan
2.	Hansard Reporter	Winnie Mandela	P1	Female	Kenyan
3.	Senior Clerk Assistant	Joyce Wilfred Uloy	P2	Female	Tanzanian
4.	Senior Clerk Assistant	Robert Adebuason	P2	Male	Uganda
5.	Senior Clerk Assistant	Manzi Victor	P2	Male	Uganda
6.	Network Administrator	Makuei Deng De Mabior	P2	Male	South Sudanese
7.	Senior Public Relations Officer	Ajak Nicodemus Bior	P2	Male	South Sudanese

(e) decided that 11 positions shall be reserved for the Democratic Republic of Congo in subsequent recruitment (EAC/CM 43/ Decision 84);

(f) directed the Secretariat to review the Operational Manual for Implementation of the Quota System in Recruitment of Staff in the Community to address gaps, anomalies and operational challenges faced by the Community and report to the 44th Meeting of the Council (EAC/CM 43/ Decision 85);

(g) directed the Secretariat to re-advertise the position of Security Officer at the Secretariat for candidates from the United Republic of Tanzania (EAC/CM 43/ Directive 46); and

(h) directed the United Republic of Tanzania to develop a concept paper on justification for reserving the position of security officer at the EAC Headquarters for the host Partner State and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 47).

7.4 INTERVIEW PROCESS FOR THE POSITIONS OF DEPUTY SECRETARIES' GENERAL

The 19th Ordinary Summit of Heads of State of the East African Community decided that there shall only be two Deputy Secretaries General at the EAC who shall be recruited competitively on rotational basis.

The 42nd Meeting of the Council of Ministers held on 12th July, 2022 approved that for the recruitment of the two Deputy Secretaries General; applications, short listing and vetting will be done at the Partner States level where eligible Partner States will short-list three suitable candidates to undergo competitive interview at the regional level by a Committee of the Council who will recommend the suitable person for appointment by the Summit.

The positions of Deputy Secretaries General (Deputy Secretary General-Infrastructure, Productive, Social and Political Sectors and Deputy Secretary General- Customs, Trade & Monetary Affairs) were advertised on EAC website and in newspapers. The deadline for applications was 19th August 2022.

Guidelines for undertaking the shortlisting exercise were sent to each eligible Partner States and shortlisting report was submitted to the Secretary General. All eligible Partner States submitted the candidates for the positions as indicated in the table below:

Table 19: Number of Candidates Per Country for the Position of Deputy Secretary General - Customs, Trade and Monetary Affairs

S/No.	Partner State	No. of Candidates
1.	Republic of Burundi	-
2.	Democratic Republic of Congo	1
3.	Republic of South Sudan	-
4.	Republic of Uganda	3

	Total	4
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Table 20: Number of Candidates Per Country for the Position of Deputy Secretary General – Infrastructure, Productive, Social and Political Sectors

S/No.	Partner State	No. of Candidates
1.	Republic of Burundi	2
2.	Democratic Republic of Congo	1
3.	Republic of South Sudan	3
4.	Republic of Uganda	3
	Total	9

The Council constituted a sub-committee of Ministers who interviewed the candidates from 16th to 18th January 2023.

From the Interviews, the sub-committee recommended the following candidates for appointments:

1. Deputy Secretary General – Customs, Trade and Monetary Affairs: Ms. Annette Ssemuwemba Mutaawe; and
2. Deputy Secretary General, Infrastructure, Productive, Social and Political sectors: Mr. Andrea Aguer Ariik Malueth

The Council considered the report of the sub-committee and observed:

- i) that the appointments of the Deputy Secretaries General are made by the Summit;
- ii) there is need for the Summit to urgently appoint the DSGs in order to ensure that there is no gap in the management at the EAC Secretariat.
- iii) There is need for the Secretariat to explore means for the Summit to make the appointment without physically meeting.

The Council:

- a) **Adopted the recommendation by the Subcommittee on the Interviews for the positions of Deputy Secretaries General (EAC/CM 43/ Decision 86);**
- b) **recommended to the Summit of the EAC Heads of State to consider and appoint:**
 - (i) **Ms. Annette Ssemuwemba Mutaawe to the position of Deputy Secretary General – Customs, Trade and Monetary Affairs (D2) (EAC/CM 43/ Decision 87); and**

(ii) Mr. Andrea Aguer Ariik Malueth to the position of Deputy Secretary General, Infrastructure, Productive, Social and Political sectors (D2) (EAC/CM 43/ Decision 88).

c) directed the Secretary General to inform the Chairperson of the Summit about the urgent need to appoint DSGs and request for the concurrence of the Members of the Summit to appoint the Deputy Secretaries General by circulation of instruments of appointment (EAC/CM 43/ Directive 48).

7.5 STAFF MANDATORY RETIREMENT

The following staff will reach the age of sixty (60) as indicated in the **Table 21** below:

S/N	Names	Position	Grade	Birth Date	Date of Retirement
PROFESIONAL STAFF					
1	Mr. Rashid Kibowa Isaac	Director Trade	P5	25/11/1962	30/11/2022
AFRICAN PEACE AND SECURITY ARCHITECTURE PROJECT					
1	Mr. Leonard Onyonyi	Small Arms and Weapons Expert	Equivalent to P3	04/12/1962	31/12/2022
2	Mr. Benoit Bihamiriza	Conflict and Early Warning Expert	Equivalent to P3	20/11/1962	30/11/2022
EAC STATISTICS DEVELOPMENT AND HARMONIZATION REGIONAL PROJECT					
1	Mr. Vincent Nsubuga Musoke	Statistician - Consumer Price Indices (CPI) expert	Equivalent to P2	20/09/1962	30/09/2022

Regulation 102 of Staff Rules and Regulations provides that no professional or general member of staff who has reached the age of sixty (60) years shall remain in the service of the Community.

The Council:

a) commended Mr. Rashid Kibowa Isaac, Mr. Leonard Onyonyi, Mr. Benoit Bihamiriza and Mr. Vincent Nsubuga Musoke for their dedicated services

rendered to the Community and wished them the best in their future endeavors (EAC/CM 43/ Decision 89); and

- b) directed the Secretariat to initiate the recruitment process to fill the vacant positions in (a) above (EAC/CM 43/ Directive 49).**

7.6 RESIGNATION FROM SERVICE

At its 39th Meeting held from 21st - 28th November, 2019 in Arusha, Tanzania, the Council of Ministers appointed Mr. Nelson Kipkoech Rutto as Monetary Financial Statistics Expert under EAC Statistics Development and Harmonization Regional Project (EAC/STAT DHRP).

Mr. Nelson Kipkoech Rutto tendered in his resignation with effect from 17th October 2022. The resignation letter is hereby attached as **Annex XXXII**. Since the position is now vacant, there is need for the Council to allow the Secretariat to commence the recruitment process for this position of Monetary Financial Statistics Expert.

The Council:

- a) took note of Mr. Nelson Kipkoech Rutto's resignation and commended him for his contribution to the Community and wished him success in his future endeavors; and**
- b) directed the Secretariat to initiate the recruitment process to fill the position of Monetary Financial Statistics Expert (EAC/CM 43/ Directive 50).**

7.7 REQUEST TO CONFIRM SHORT TERM STAFF IN THEIR RESPECTIVE POSITIONS IN EAC STRUCTURE

The EAC organization structure was adopted in 2006 while the EAC was implementing the 2nd Development Strategy. The staff establishment and the structure have not been reviewed with the 3rd, 4th nor 5th Development Strategy. Meanwhile the mandate and activities of the EAC have expanded, i.e: admission of new Partner States, move to attainment of new pillars of integration, establishment of new institutions, new projects and programs, etc. Furthermore, various audits and organizational assessments identified staff gaps and inadequacy of the current structure which hinder effective service delivery. With emergence of new functional areas, the EAC Organs and Institutions, as a solution to the above challenge, deployed short term staff to assist the established staff to efficiently deliver on the expanded EAC mandate. It is prudent that these functions are established and positions filled as a measure to bridge the gap. Currently the arrangement is to give six months for short term staff. This is not appropriate for productivity and motivation of staff.

There is need for the Council to consider the matter and establish positions in the EAC structure to cater for the missing functions. Considering the incumbents' nature of their duties, the period taken in the Community and the long experience in handling the duties.

The Council of Ministers is requested to consider and approve the establishment of short-term staff into the EAC Structure.

The Council however, noted the need for more information to enable Council make a decision including among others tenure of service, age and qualification among others. Accordingly, the Session requested the Secretariat to develop a concept paper and submit it to the next Council.

The Council observed as follows:

1. There is need for a comprehensive evaluation of the impact of absorbing short-term staff in the established structure of the Community and assessing the financial implications involved, including the wage bill and other allowances. Among others, the evaluation should include detailed information on age, academic qualifications, date of entry into the Community, whether the positions are in the structure for establishment, available quota points were applicable and job descriptions
2. The Extension of Contracts be only to Short-Term Staff whose contracts were extended by the 42nd Meeting of the Council and those who were recruited to be facilitated by Partner States funds to support key position (Accounts Assistant for EASTECO).
3. The contract terms of the 3 Project Staff funded by GIZ should continue as per the respective Financing Agreement.
4. That Ms. Zainab Kanyange was granted short term contract by the 42nd Council as Accounts Assistant for EASTECO from 1st July, 2022 to December, 31st December, 2022.
5. There is need to establish a committee to assist the Council in dealing with matters relating to recruitment and other human resources matters and make appropriate recommendations.
6. That at its 42nd Meeting it had approved extension of short-term contracts for the following persons for the period 1st July, 2022 - 31st December, 2022. The Council further decided to extend Short-Term Contracts from 1st January - 30th June, 2023 as indicated in table 22 below.

The Council:

- a) directed the Secretariat to undertake an analysis on the legal, structural and financial implications of absorbing the short-term staff in the service of the Community and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 51);
- b) directed the Secretariat to develop proposals on establishment of a Human Resource Committee for the Council, including proposed Terms of Reference, and report to the 44th Meeting of the Council (EAC/CM 43/ Directive 52); and
- c) extended Short-Term Contracts for the 53 Staff as listed in Table 22 below from the Organs and Institutions of the Community for six months with effect from 1st January, 2023 (EAC/CM 43/ Decision 90).

Table 22: List of persons approved for extension of short-term contract from 1st January - 30th June, 2023

S/N	NAMES	POSITION
EAC SECRETARIAT		
1.	Ruth Atukunda	Sun Systems Administrator
2.	Aileen Mallya	Web Editor
3.	Lawrence Mukwaya	Trim Expert
4.	Rachael Nyandera	Monitoring & Evaluation Technical Assistant
5.	Dorcas Ayuko Siloya	Accounts Assistant
6.	Godfrey Mshanga	Accounts Assistant
7.	Gladys Nabwire	Programme Assistant
8.	Adagi Lucy V. Chisnell	Administrative Assistant
9.	Damaris Wambui Nyaga	Programme Assistant
10.	Florian Mutabazi	Media Center Co-Ordinator
11.	Hilda Neema Makoka	Procurement Assistant
12.	Dativa B. Chacky	Procurement Assistant
13.	Rose Pendaël Tomonja	Travel/Logistics Assistant
14.	Isaac Wafula Wamalwa	Inspiro Administrator (HRMIS SYSTEM)
15.	Miriam Mollel	Registry Assistant
16.	Deogratius Mbarara	Programme Assistant
17.	Wilson O Oketch	Quality Management System Assistant
18.	Anna Shadrack Kasika	Accounts Assistant
19.	Jackson Dominic	Accounts Assistant
20.	Alex Kamukara	Accounts Assistant
21.	Raphael A. Manirabarusha	Programme Assistant
22.	Morris Tayebwa	Programme Assistant
23.	Barbara Kaboha Muyinda	Programme Assistant
24.	Luis Pascal	Public Relation Assistant
25.	Kitur Kipsang Denis	Estates Management Assistant
26.	Emmanuel Diah	Data Entry Assistant
EAST AFRICAN LEGISLATIVE ASSEMBLY		
1.	Osmond Tumainiel	Accounts Assistant
2.	Mukhtar Abdul Bulyao	Audio Visual Technician/Cameraman

S/N	NAMES	POSITION
3.	Adam Mamuya	Research Assistant
4.	Joyce Uloy	Research Assistant
5.	Lucy Lucas Stambul	Accounts Assistant
6	Edna Deus Mbassa	Information Technology Assistant
7	Vilanova Mosha	Registry Assistant
8	Susan Namusoosa	Committee Assistant
9	Peter Asimwe	Committee Assistant
10	Marygorethy Mkenda	Committee Assistant
11	Olivia Nantaba	Programme Assistant
12	Aidah Nakabugo	Programme Assistant
13	Vestine Umutoni	Programme Assistant
14	Lawrence Munezero	Web Editor
15	Polycarp Onyach Akuku	Driver
16	Kenneth Kubini Iga	Driver
17	Abubakar Hassani	Office Attendant
18	Yusuph Mlonge	Office Attendant
EAST AFRICAN COURT OF JUSTICE		
1.	Annah Nabaasa	Public Relations Assistant
EAST AFRICAN COMPETITION AUTHORITY		
1.	Dennis Kabale	Competition Authority Expert
LAKE VICTORIA BASIN COMMISSION		
1.	Obadiah Korir	Procurement Assistant
2.	George Ondu	Security Assistant
EAST AFRICAN SCIENCE AND TECHNOLOGY COMMISSION		
1.	Adelite Murindagwe	IT Specialist
2.	John Bosco Byamugisha	Grants and Publication Assistant
3.	Ms. Zainabu Kanyange	Accounts Assistant
EAST AFRICAN KISWAHILI COMMISSION		
1.	Peter Henry Madulu	IT Assistant
2.	Asha Lawi Said	Office Assistant

7.8 CONSIDERATION OF THE DRAFT POLICY ON STAFF SECONDMENT

The Draft Secondment Policy was presented to the 33th Meeting of the Council of Ministers. The meeting recalled that the 38th Ordinary Meeting of the Council of Ministers held from 6th to 10th May 2019 in Arusha, United Republic of Tanzania, directed the Secretariat to submit the draft EAC Policy on Secondment to the 39th Meeting of the Council for consideration (EAC/CM/38/Directive 28).

In the implementation of the above directive, EAC prepared the draft policy. The objective of the policy is to guide on how secondment arrangements in EAC would be processed and managed. It provides a framework for sharing of the existing critical skills and competencies between EAC and Partner States.

The policy will apply to all EAC Organs and Institutions. The framework will help the Community to implement smoothly new initiatives and programmes with scarcity of skills in the labour market. The secondment will cover the following areas:

- i. A new project;
- ii. Introduction of a new initiative;
- iii. Establishment of a new Institution;
- iv. Policy development;
- v. A specific task of limited duration or with an uncertain future (normally up to two years);
- vi. A short-term appointment to start a new work area prior to making a permanent appointment; and
- vii. Research work and others to be determined by the Council of Ministers.

The meeting considered the draft policy and directed the Partner States to provide comments on the EAC Secondment Policy.

All Partner States have submitted their respective comments except for the Republic of South Sudan. A reminder was sent to the Republic of South Sudan. Her comments are yet to be received.

The revised policy on staff secondment with comments from Partner States is hereby attached as **Annex XXXIII**.

The Council referred the draft policy on Staff Secondment to the Sectoral Council on Legal and Judicial Affairs for legal input and report to the 44th Meeting of the Council (EAC/CM 43/ Decision 91).

7.9 CONSIDERATION OF DRAFT POLICY ON ACCOMMODATION OF STAFF WITH DISABILITY

The draft policy was submitted to 40th Ordinary Meeting of the Council. The above meeting recalled that the 18th Extra-Ordinary Meeting of the Council of Ministers held on 22nd October 2008 in Kampala, Uganda directed the Secretariat to formulate a Comprehensive Policy for disabled persons working at EAC (EAC/CM EX18/Directive 04).

The Secretariat informed the Meeting that it has prepared the policy on reasonable accommodation of persons with disabilities working for East African Community (EAC) which aims at promoting fairness and equity of all people working for the Community. The policy also establishes the guidelines, practices and procedures for providing reasonable accommodation for qualified individuals with disabilities working for the Community. The extra flexibility and support to which qualified individuals with

disabilities are entitled serve to ensure equal employment opportunity by enabling full participation in the hiring process, enabling performance of the essential functions of jobs, and allowing equal enjoyment of the benefits and privileges of employment.

The Secretariat further informed the Meeting that the policy shall be applied to applicants, staff members, Judges of the East African Court of Justice, the members of East African Legislative Assembly who have any physical impairment that substantially limits one or more major life activities; have a record of such impairment; or are regarded as having such impairment.

The Meeting observed that there is need for the draft Policy to be considered by the Partner States and as such recommended that the Policy be submitted to the Partner States for their comments.

The Meeting further recommended that the Secretariat align its draft policy with the Persons with Disabilities international Convention and develop an implementation plan and strategy of the Policy.

The Republics of Kenya, Rwanda and Burundi submitted their comments which were incorporated into the draft Policy.

A reminder was sent to the United Republic of Tanzania, Republic of Uganda and Republic of South Sudan. Their comments are yet to be received.

The draft policy with comments from Partner States is hereby attached as **Annex XXXIV**.

The Council referred the Draft policy on accommodation of staff with disability to the Sectoral Council on Legal and Judicial Affairs for legal input and report to the 44th Meeting of the Council (EAC/CM 43/ Decision 92).

7.10 RENEWAL OF PROFESSIONAL STAFF CONTRACTS

The following professional staff presented in Table below were appointed by the 36th Ordinary Meeting of the Council of Ministers held on 20th February 2018 to positions tenable at the EAC Secretariat on an initial contract period of five (5) years. They have expressed interest to renew their respective contracts for a further five years in accordance with Regulation 22(c) of the Staff Rules and Regulations, 2006.

A performance evaluation has been undertaken and their performance rated very good. They have exhibited professionalism, diligence and commitment and their contribution to the Community is commendable. It is recommended that their employment contracts be renewed for a final five-year term with effect from the due

dates and subject to the provisions of Regulation 102 as per the recommendations of the Human Resource Advisory Committee.

Table 23: Professional Staff of the EAC Secretariat whose employment contracts are renewed

S/N	Name	Title	Grade	Date of Appointment/Date of Assumption of Duty	Date of Expiry	Date of Renewal
1	Mr. Sessanga Jonathan	Principal Customs Officer/Information and Technology	P3	1/05/2018	30/04/2023	1/05/2023
2	Mr. Stephen M.A. Analo	Principal Customs Officer/Capacity building	P3	1/05/2018	30/04/2023	1/05/2023

The Council considered and renewed employment contracts of the above-named professional staff for a final five (5) year term with effect from the due dates and subject to the provisions of Regulations 22 (c) and retirement age as stipulated in regulation 102 of the Staff Rules and Regulations (EAC/CM 43/ Decision 93).

7.11 REQUEST FOR FRENCH AND KISWAHILI TRANSLATORS AND INTERPRETERS

The 21st Ordinary Summit of the EAC Heads of State adopted French and Kiswahili as official languages of the Community and directed the Council to expedite the implementation modalities of the decision of the Summit.

The Secretariat requested the Council to establish four (4) positions for French and Kiswahili Translators and Interpreters as an interim measure to facilitate the use of Kiswahili and French as official languages of the Community.

The Council observed that:

- (a) while the adoption of French and Kiswahili requires a roadmap and determination of financial implications, the challenges being faced by the Community following the admission of the Democratic Republic of Congo requires an interim solution;

- (b) translators should be staff of the Community whereas interpreters may be contracted on a need basis; and
- (c) it is necessary for the financial, legal and structural implications of the proposal to include translators and interpreters in the structure of the Community to be established.

The Council noted that at its 47th Extraordinary Meeting in April, 2022, it had decided to ring-fence two positions for the Republic of Burundi at the next recruitment. The Republic of Burundi requested the Council to reserve two positions of French Translators for candidates from the Republic of Burundi.

The Council

(a) directed the Secretariat:

- i. to develop a comprehensive programme/roadmap for the use of French and Kiswahili as official languages of the Community (EAC/CM 43/ Directive 53);
 - ii. to recruit 4 translators French (P.2) and 4 for Kiswahili (P.2) to facilitate translation of documents by the Community. The positions of translators should be advertised (EAC/CM 43/ Directive 54).
- (b) decided that two of the positions for translators (French) be reserved for candidates from the Republic of Burundi (EAC/CM 43/ Decision 94)

7.12 INSTITUTIONS

7.12.1 Lake Victoria Basin Commission (LVBC)

- i. **Resignation of Dr. Willy Mugenzi, Communications Development Officer**

Dr. Willy Mugenzi, the Communications and Development Awareness Officer (P2), tendered his resignation on 25th October 2022, and is currently serving a three months' notice as per the EAC Staff Rules and Regulations (2006), Regulation 95 (2).

The Council:

- a) commended Dr. Willy Mugenzi for his dedicated service to the Commission and wished him well in his future endeavours.
- b) directed LVBC Secretariat to commence recruitment processes for the Communications Development Awareness Officer Position subject to the approval of Organization Structures and Establishment for EAC Organs and Institutions (EAC/CM 43/ Directive 55).
- ii. **Resignation of Mr. Emmanuel Bigirindavyi, Senior Budget Officer(P2)**

Mr. Emmanuel Bigirindavyi, the Senior Budget Officer tendered his resignation on 9th January 2023, as per the EAC Staff Rules and Regulations (2006), Regulation 95 (2).

The Council:

- a) commended Mr. Emmanuel Bigirindavyi for his dedicated service to the Commission and wished him the best in his future endeavours; and
- b) directed LVBC Secretariat to commence recruitment of Senior Budget Officer Position subject to the approval of Organization Structures and Establishment for EAC Organs and Institutions (EAC/CM 43/ Directive 56).

iii. **Request for Renewal of contract for Project Staff**

The Lake Victoria Basin Commission through a partnership with the Federal Germany Government/BMZ and the European Union is supporting the implementation of the Integrated Water Resources Management Program (IWRM) in the Lake Victoria Basin.

Under the funding, LVBC recruited two staff, namely the Program Coordinator (P3) and the Water Resources Modeler (P2). These positions have been financed out of the financial contributions of the initial three-year time frame of the program. The staff (as shown in the table below) were appointed at the 39th Ordinary Meeting held on 29th November 2019 in Arusha (**EAC/CM39/Decision 62, EAC/CM39/Decision 63**).

Table 24:

S/N	Name	Position	Grade	Reporting Date
1	Arsene Mukubwa	Integrated Water Resources Program Manager	P3	13/01/2020
2	Benjamin Ssekamuli	Integrated Water Resources Water Modeller	P2	03/02/2020

The execution period of this Financing Agreement has since been extended further by 36 months with a provision for the closure phase fixed at 24 months.

Pursuant to the provisions of Regulation 31 (3), (4) and (5), the above staff contract renewal request was tabled before the Human Resource Advisory Committee for appropriate recommendation.

The Council renewed the contracts for Mr. Arsene Mukubwa, Integrated Water Resources Management Officer (P3) and Benjamin Ssekamuli; Integrated Water Resources Water Modeller Officer (P2) for a period of three years (EAC/CM 43/ Decision 95).

7.12.2 East African Kiswahili Commission (EAKC)

Recruitment of Staff for the East African Kiswahili Commission (EAKC)

The East African Kiswahili Commission faces staff challenges. This has hampered the ability of the Commission to deliver on its mandate. The review of the 1st EAKC Strategic Plan and subsequent Audit Commission findings point to inadequate staffing as one of the reasons affecting effective implementation of the Commission activities. Aware that the mandate of the Commission was enhanced by the 21st Summit of EAC Heads of State declaration adopting Kiswahili as one of the Official Languages of the EAC, the decision did not only enhance the position of Kiswahili in the EAC but also increased the scope of work and mandate of the Commission. This enhanced role cannot be achieved by a staff constrained Commission. Further, the Roadmap for Implementation of Kiswahili as an Official Language of the EAC was approved by Council of Ministers (**EAC/CM42/Decision 23**). It lays down the priority activities to be implemented by the Commission and Partner States which further require the Commission to enhance its staff capacity.

The Commission proposes to fill three vacant positions for which budget is available. The positions are:

- a) Senior Research & Development Officer (P2);
- b) ICT Assistant (G5); and
- c) Personal Secretary (G3)

The Council directed the EAKC to initiate recruitment for the positions of Senior Research & Development Officer (P2); ICT Assistant (G5) and Personal Secretary (G3) (EAC/CM 43/ Directive 57).

PART VIII: REPORTS OF ORGANS AND INSTITUTIONS

8.1 EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

This Report covers the activities of the Assembly from May – November, 2022.

Legislation and Plenary Matters

During the period under review, the Assembly held two scheduled Meetings, namely; the 4th Meeting - 5th Session of the Fourth Assembly held from 29th May -15th June 2022 in Arusha, Tanzania; and the 1st Meeting of the 5th Session of the Fourth Assembly held from 23rd October - 5th November 2022 in Kigali, Rwanda.

In addition, the Assembly also held a special sitting on 11th May, 2022 via video conference to allow the Council of Ministers to table before the House the

Supplementary budget for the FY' 2021/2022 and the EAC Financial Estimates for the FY' 2022/2023.

The main businesses transacted during these three meetings is shown below: -

BILLS

The Assembly passed the following bills to support the integration process in accordance with the Treaty:

- 1) The East African Community Appropriation Bill, 2022;
- 2) The East African Community Supplementary Appropriation Bill, 2022;
- 3) The East African Community Supplementary Appropriation (No.2) Bill, 2022; and
- 4) The East African Community Competition (Amendment) Bill, 2022.

*The advance copies of the above bills were submitted to the Partner States for comments on **23rd September, 2022.***

The Assembly also passed the following bills in October and December 2022:

- 1) The East African Community Supplementary Appropriation (No.1) Bill, 2022;
- 2) The East African Community Appropriation Bill, 2022;
- 3) The East African Community Surveillance, compliance and Enforcement Commission Bill, 2022;
- 4) The East African Community Supplementary Appropriation (No. 3) Bill, 2022;
- 5) The East African Community Financial Services Commission Bill; 2022; and
- 6) The East African Community Customs Management (Amendment) Bill, 2022.

*The advance copies of the above Bills were transmitted to the Partner States on **31st January, 2023** for their information.*

Table 25.: Private Members Bills to be re-submitted to Partner States for their comments

No.	Name of the Bill	Date passed by the Assembly	Status
1	The East African Community Counter-Trafficking in Persons Bill, 2016	18/10/2016	To be re-submitted to Partner States for comments
2	The East African Community Prohibition of Female Genital Mutilation Bill, 2016	25/01/2017	To be Re-submitted to Partner States for comments
3	The East African Community Gender Equality, Equity and Development Bill, 2016	08/03/2017	Re-submitted to Partner States for comments: 19 th March, 2021
4	The East African Community Integrity and Anti-Corruption Bill, 2021	23/11/2021	To be re-submitted to Partner States for comments

Resolutions

The Assembly adopted six (6) Resolutions as shown below and were transmitted to Partner States for consideration and implementation.

1. Resolution of the Assembly paying tribute to Rt. Hon. Jacob Oulanyah, former Speaker of the Parliament of Uganda;
2. Resolution of the Assembly paying tribute to his Excellency Mwai Kibaki, the 3rd President of the Republic of Kenya;
3. Resolution of the Assembly urging the EAC Council of Ministers to recommend the Partner States to enhance gender equality in access to food and nutrition security in the Community;
4. Resolution of the Assembly to grant Members whose names have been listed hereunder permission to access official documents of the house to be used in evidence before the East African Court of Justice;
5. Resolution of the Assembly urging the Council of Ministers to recommend to the EAC Partner States the eradication of Child Sexual Abuse in the EAC Region; and
6. Resolution of the Assembly to support the ongoing East African Crude Oil Pipeline Project (EACOP).

Oversight Activities

Committee Reports

During the period under review, the Assembly conducted oversight activities through its Standing Committees. The findings from these activities were debated and adopted by the House. The adopted recommendations were later transmitted to the Council of Ministers, the EAC Secretariat, the National Assemblies and other stakeholders in the Partner States aimed at improving the overall performance of the Community in the implementation of its integration agenda.

The reports are as shown below: -

1. Report of the Committee on Regional Affairs and Conflict Resolution on the implementation of the Nairobi Protocol for prevention, control and reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa;
2. Report of the Committee on Communication Trade and Investment on the On-spot assessment of the status of implementation of the EAC One-Stop Border Post and the Hydro-electric Infrastructures at Elegu/Nimule, Kobero/Kabanga and Rusumo borders;
3. Report of the Committee on Accounts on the benchmarking mission on the mandate of the National Assemblies and implementation of recommendations of Parliaments on Annual Audit Reports;

4. Report of the Committee on Agriculture Tourism and Natural Resources on the oversight activity to assess the performance of the Tourism sector in the EAC Region;
5. Report of the Committee on Communication Trade and Investment on the re-consideration of the EAC Competition (Amendment) Bill, 2021;
6. Report of the Committee on Legal Rules and Privileges on the assessment of the status of ratifications and implementation of EAC Protocols and EAC Laws;
7. Report of the Committee on General Purpose on the oversight activity to assess the progress made by the IUCEA in the harmonization of education systems in the EAC;
8. Report of the Committee on Accounts on the EAC Audited Financial Statements for the Year ended 30th June, 2020; and
9. Report of the Committee on Regional Affairs and Conflict Resolution on assessing the measures instituted by the Partner States for safety and security of movement of people and goods in Lake Victoria and Lake Tanganyika.

Address by H.E Paul Kagame, President of the Republic of Rwanda

The President of the Republic of Rwanda, His Excellency Paul Kagame, addressed the Assembly at a Special Sitting held on Tuesday, 1st November, 2022 at the Parliament of Rwanda in Kigali, Rwanda. H.E congratulated the 4th Assembly for the work done over the last five years in the service of the Community and the people of East Africa, through harmonisation of policies and laws and oversight of regional bodies, thus contributing to the significant progress made by the EAC towards the realisation of the EAC single market.

H.E. underscored the challenges that still hamper the EAC integration process, namely the underfunding which causes delay in the implementation of EAC projects and programs, the delay in meeting the timeline set for achieving key integration stages such as the establishment of the EAC Monetary Institute to fast-track the realisation of the Monetary Union pillar, as well as a number of non-tariff-barriers (NTB's) which have remained a hindrance to free movement of goods and services across the region.

H.E Paul Kagame called for the adoption of a sustainable financing mechanism, enhanced financial accountability, knowledge sharing and collaboration with other Regional Communities on the African Continent to fulfill the wider objective of a more united and prosperous Africa and investment in the youth to ensure a bright future for them and make Africa the engine of world growth and innovation.

H.E also reiterated the commitment of the Republic of Rwanda to peace and stability efforts within the agreed frameworks both at the regional and continental levels.

Oath of Allegiance, Member of EALA

During the period under review, Hon. Rebecca Miano, Cabinet Secretary for the East African Community, Arid and Semi-Arid, Lands and Regional Development, Republic of Kenya, took Oath of Allegiance as an Ex-officio Member of the Assembly in accordance with Rule 5 (4) of the Rules of Procedure of the Assembly. The Rules of Procedure say in part: “A Member shall not sit or vote in the Assembly before taking the Oath or Affirmation of Allegiance to the Treaty”.

Planning Meeting

The Assembly held its planning session from 1st -3rd September, 2022 in Arusha, United Republic of Tanzania. The planning exercise set priority activities and allocated dates of implementation and resources within the approved budget. The meeting also adopted the EALA Annual Calendar of Activities for Plenary and Committees for the FY’ 2022/2023.

14th Speakers’ Bureau Meeting

The East African Community Bureau of Speakers held its 14th Meeting on 11th November, 2022 in Nairobi- Kenya. The meeting was attended by Speakers of the National Assemblies or their representatives.

The meeting discussed matters related to strengthening the EAC integration process. The meeting further:

1. called for the entrenchment of the East African Bureau of Speakers into the organogram of the EAC;
2. tasked the respective Clerks of EAC National legislatures to undertake the process of drafting a Private Member’ Bill to govern the EAC Speakers’ Bureau for consideration by EALA;
3. resolved that the Speaker of EALA has the duty to bring the issue of arrears and late remittances to the attention of the EAC Secretary General and the Council of Ministers;
4. proposed the establishment of a Centre of Innovation in Parliaments (CIPs);
5. decided to hold Inter-Parliamentary Games in Juba, South Sudan from 25th November to 2nd December, 2022;
6. urged the Speaker of the Transitional National Legislative Assembly (TNLA) to take up the matter of visa requirements to citizens of some Partner States with the Government of RSS with a view to eliminating them for all EAC Citizens, especially during the Inter-Parliamentary Games;
7. adopted the Consultant report on Developing Organizational Structure, Grading of Staff and Training Modules of the East African Parliamentary Institute (EAPI); and

8. handed over the leadership of the EAC Speakers' Bureau to the Speaker of the Transitional National Legislative Assembly (TNLA) of RSS.

EXIT OF THE 4TH ASSEMBLY AND INAUGURATION OF THE 5TH ASSEMBLY

The 5th Assembly was inaugurated from 18th -22nd December, 2022. The new Assembly commenced its tour of duty from 18th December, 2022 and its tenure will end on 17th December, 2027. The 5th Assembly has ten (10) new additional Members (9 elected; 1 ex-Officio) from the Democratic Republic of Congo as per Article 51 and Section 5 of the East African Legislative Assembly Act, 2012.

The Council:

(a) took note of:

- i. the progress on Legislative Matters, oversight and representation by EALA;
- ii. the end of the 4th Assembly; and
- iii. the election of the 56 Members of the 5th Assembly, 9 from each of the 7 Partner States; and

(b) directed the Assembly to resubmit the Bills passed by the Assembly during the reporting period to the Partner States for their information and consideration (EAC/CM 43/ Directive 58).

8.2 EAST AFRICAN COURT OF JUSTICE (EACJ)

REPORT OF THE ACTIVITIES OF THE EAST AFRICAN COURT OF JUSTICE FOR THE PERIOD JULY - NOVEMBER, 2022

8.2.1 East African Court of Justice Registry

Appointment of New Judges and Designation of Vice President and Deputy Principal Judge of the Court

The 22nd Summit of EAC Heads of State which was held on 21st July, 2022, appointed Justice Dr. Leonard Gacuko from Burundi as a Judge of the 1st Instance Division, replacing Justice Audace Ngiye, whose term came to an end on 28th June, 2022.

The Summit also appointed Justice Cheborion Barishaki from Uganda as a Judge of the Appellate Division, replacing Justice Geoffrey Kiryabwire, whose term came to an end on 16th August 2022.

In addition, the Summit designated Justice Sauda Mjasiri from the United Republic of Tanzania as the Vice President of the Court and Justice Dr. Charles O. Nyawello from the Republic of South Sudan as the Deputy Principal Judge of the Court.

Court sessions

Hearing and determination of cases is the core business of the Court. During the period under review, the First Instance and the Appellate Divisions held their respective sessions in Arusha.

The First Instance Division held its session in September and November, 2022. A total of fifty-three (53) matters were handled out of which eleven (11) scheduling conferences were held, fourteen (14) applications and fifteen (15) references were heard respectively. The Division also delivered six (6) Judgments and seven (7) rulings on applications arising from cases filed.

The Appellate Division held its session in August and November, 2022. A total of thirty-five (35) matters were handled out of which thirteen (13) scheduling conferences were held, fourteen (14) were heard including two (2) Arbitration matters. The Division delivered three (3) Judgments and three (3) rulings on applications arising from cases filed.

The Court is experiencing a considerable increase in matters filed compared to other years. This is greatly attributed to the increased visibility of the Court in the region and the increased trust by East Africans in the working of the Court.

Table 26: Cases filed between 2020 And 2022

Item	Year	Number of References, Claims, Advisory Opinions and Appeals	Number Of Applications	Total Number of Cases
1.	2020	40 References, 4 Appeals	33 Applications	77 Cases
2.	2021	53 References, 4 Appeals, 2 Claims	21 Applications	80 Cases
3.	2022	63 References, 13 Appeals	63 Applications	139 Cases

Annual Rotational November Session of the Court

To mark its 20th Anniversary celebrations, the Court launched the rotation of its November Court Sessions with the 1st rotated session held in Bujumbura, Burundi from 8th to 26th November, 2021.

The overall objective of holding the EACJ's November Court Session on a rotational basis is to enhance the visibility of the Court and bring the services of the Court closer to the EAC citizens.

The 2022 Annual Rotational November Session of the Court was held in Kampala Uganda at the Commercial Court Premises. The Session included the sessions of the 1st Instance Division and the Appellate Division.

The 2023 Annual Rotational November Sessions of the Court are expected to take place in Kigali, Rwanda.

The Council:

- (a) commended the Republic of Uganda for successfully hosting the annual rotational November session of the Court at the Commercial Court Premises in Kampala; and**
- (b) urged the Republic of Rwanda to accord the necessary support to the East African Court of Justice in their preparations for the 2023 Annual Rotational November Sessions of the Court which, shall take place in Kigali, Rwanda (EAC/CM 43/ Decision 96).**

8.2.2 The 2nd Annual East African Court of Justice Judicial Conference

The East African Court of Justice convened its 2nd Annual East African Court of Justice Judicial Conference from the 26th – 28th November 2022 at the Mestil Hotel in Kampala, Uganda. The conference whose theme was ***Transforming access to justice in the EAC*** brought together Chief Justices and Judges from the National and Regional Courts of Judicature, Legal Practitioners, Representatives of Civil Society Organizations, Academia and the Private Sector.

Also in attendance were the Chairperson of the EAC Council of Ministers, the Rt. Hon 1st Deputy Prime Minister and Minister of EAC Affairs, the Minister of Justice, the Attorney General and former Judges of the East African Court of Justice.

The Objective of the Conference was to stimulate high-level conversations and discussion on current and emerging legal and judicial issues between judges, court users and the academia in the EAC.

His Excellency the President of the Republic of Uganda who officially closed the Conference, urged the East African Court of Justice and the National Judiciaries to do more to support regional integration.

The Conference made a number of resolutions including:

- a) The EACJ should enhance its visibility in order to educate the public and court users about the Court's role as a judicial arm of the Community and its rules of procedure;
- b) Capacity development should be a permanent feature of the courts, so as to keep the Judges, staff and court users regularly updated with knowledge of the law and practice before the Court;
- c) The Courts should introduce translation and sign language services to cure the language barrier faced by court users when interfacing with the Courts at national and regional level;

- d) The Partner States which are yet to ratify the Protocol on Extended Jurisdiction of the EACJ to hear Trade and Investment Matters and the Protocol on Extended Jurisdiction of the EACJ to hear human rights cases are called upon to fast-track the process;
- e) Courts should embrace and continue working towards incorporation of technology in court processes to facilitate improved productivity, streamline case flow, reduce case processing time and better service delivery; all of which are essential to access to justice;
- f) Alternative Dispute Resolution (ADR) should be made an integral part of the policies aimed at improving access to justice in the region to ensure adequate resourcing to develop and maintain ADR projects. Furthermore, Partner States should create institutions and structures to ensure the administration of ADR; and
- g) Judiciaries including the EACJ should be given a self-accounting status to enable their budgetary independence to exercise control over their own funds and apply these funds in accordance with their own priorities for a better administration of Justice.

The 3rd Annual East African Court of Justice Judicial Conference shall take place in Kigali, Rwanda in October, 2023.

The Council:

- (a) Commended the Republic of Uganda for hosting the 2nd Annual East African Court of Justice Judicial Conference;**
- (b) took note of the resolutions of the 2nd Annual East African Court of Justice Judicial Conference; and**
- (c) urged the Republic of Rwanda to accord the necessary support to the East African Court of Justice in their preparations for the 3rd Annual East African Court of Justice Judicial Conference which, shall take place in Kigali, Rwanda in October, 2023 (EAC/CM 43/ Decision 97).**

8.2.3 Capacity Building

UNESCO Training of Judicial Actors on Freedom of Expression and Safety of Journalists

As part of its Global Judges Initiative, UNESCO convened a training of Judicial Actors from Partner States on issues related to freedom of expression, access to information and safety of journalists, in Arusha - Tanzania from 19th to 22nd September, 2022. The overall objective of the training was to contribute to ensuring that the rule of law and human rights framework in Africa are strengthened.

Two Judges of the Court participated in the training whose overall objective was to contribute to ensuring that the rule of law and human rights framework in Africa are

strengthened, and to contribute to a safer and more enabling environment for journalists and media workers.

The training enhanced the capacity and knowledge of the Judges on freedom of expression, privacy and safety of journalists', legal standards and legal challenges related to AI (Access to Information) and the Rule of Law.

UNESCO High-level training for Judges of the East African Court of Justice and Judges of the Judiciary of Uganda on international and regional standards on freedom of expression, access to information, safety of journalists and digital challenges related to the Internet.

The EACJ with support from UNESCO, organised a one-day training on international standards on freedom of expression, access to information, the safety of journalists and digital challenges related to the Internet on 24 October 2022 in Kampala, Uganda. This training which immediately preceded the 2nd Annual East African Court of Justice Judicial Conference, brought together Judges of the Appellate Division and of the First Instance Division of the East African Court of Justice, as well as high-level Ugandan judges to stimulate a dialogue on the aforementioned issues.

The training was critical to build the capacities of judges on international standards on freedom of expression, access to information, the safety of journalists and digital challenges related to the Internet, as judicial decisions can be an important factor to guarantee the implementation of freedom of expression standards and safety of journalists. However, in order to effectively play this role, the judges need to be well versed on freedom of expression challenges (both online and offline), and knowledgeable about the related international standards and regional jurisprudence.

Institutional Matters

First Tripartite Judicial Dialogue between Regional and Sub-Regional Courts in Africa

The Dialogue whose theme was, “Strengthening Cooperation Between Regional and Sub-Regional Courts in Africa” took place from 27th - 29th July in Zanzibar and brought together Judges from the EACJ, ECOWAS Court of Justice and the African Court on Human and Peoples Rights.

The main objective of the Dialogue was, to discuss issues of common interest, including the challenges faced by the Courts and how to strengthen cooperation among them.

A number of recommendations were made at the Conference and these include:

- a) Cooperation among the three Courts (EACJ, ECOWAS Court of Justice and the African Court on Human and Peoples Rights) should be strengthened with regard to the harmonization of the interpretation and application of legal norms relating to electoral matters;
- b) The Courts should promote regular jurisprudential and procedural exchanges between international, regional and sub-regional courts and mechanisms;
- c) The Registries of the three Courts should develop a realistic and cost-effective staff exchange Programme and submit to the leadership of the three Courts within a period of six months.

19th Triennial Commonwealth Magistrates and Judges Association Meeting (CMJA)

The President of the Court led a delegation of EACJ Judges to the 19th Triennial Commonwealth Magistrates and Judges Association meeting (CMJA) held in Accra, Ghana from 4th – 9th September, 2022. The conference whose theme was “Access to Justice in a Modern World” provided a platform for discussing various thematic areas including the digitization of courts, strengthening judicial independence, resourcing the Judiciary and the fight against corruption. The Conference attracted Judicial Officers from the Commonwealth Countries including the EAC Partner States.

Implementation/Execution of the Court’s Decisions/ Judgements

The Court during its sessions in August and September adjudicated on a number of matters before them and accordingly passed judgment. Article 38(3) of the Treaty provides that a Partner State or the Council shall take, without delay, the measures required to implement a judgement of the Court. However, once the Court has delivered a judgement on a particular matter, there are no mechanisms to know about the implementation of its decisions unless the beneficiary of the decision returns to Court on non-implementation of its decision.

The following are the Judgements given by the Courts over the period July 2022- October 2022. Partner States may wish to update on the level of implementation.

Table 27: EACJ Judgments in the First Instance Division

	NO	DECISION AND DATE DELIVERED	IMPLEMENTATION STATUS
1.	Reference No. 17 of 2018 Prof. Paul Kiprono Chepkwony v The Attorney General of the Republic of Kenya.	Judgment delivered, The Reference was dismissed and each party ordered to bear their own costs. Delivered on 28 th September, 2022	The applicant has filed an application for review of the judgment. Implementation not required by either party.
2.	Reference No. 10 of 2017 Ololosokwan Village	Judgment delivered. The Reference was dismissed with an	A Notice of Appeal has been filed.

	NO	DECISION AND DATE DELIVERED	IMPLEMENTATION STATUS
	Council & 3 others v. The Attorney General of the United Republic of Tanzania	order that each party bears their own costs. Delivered of 30 th September, 2022	Implementation not required by either party.
3.	Reference No. 9 of 2019 Francis Ngaruko v. The Attorney General of the Republic of Burundi.	Judgment delivered. The Court declared that the Respondents decision through the Special Court, to cancel the Applicant's Title and declare his property one without a master, contravened Article 6(d) of the Treaty. The Court ordered that the Respondent should restore the property to the Applicant or pay him adequate compensation for the property based on the current market value. The court awarded the Applicant costs for the Reference. Delivered on 30 th September, 2022	The Respondent has filed an Appeal. Implementation is required because an appeal is not an automatic stay of execution of a court order unless an application for stay is made.
4.	Consolidated Claim No. 1, 2 & 4 of 2019 Paul Irungu, John Karasila & Polycarp Akuku v. The Secretary General of the East African Community	Judgment delivered. The court held that it lacked jurisdiction <i>ratione temporis</i> over the claims. It could neither entertain nor portend to proceed to determine the Consolidated Claim on merit. The Consolidated Claim was accordingly dismissed and each party ordered to bear their own costs. Delivered on 29 th November 2022	No Appeal filed. Implementation not required by either party.
5.	Reference No. 18 of 2018 Izeere Jean Luc & 8 Others v. The Attorney General of the Republic of Uganda	Judgment delivered. The Court found that the Reference was filed out of time in terms of Article 30(2) of the Treaty. Therefore, the Court lacks jurisdiction to entertain the Reference. The Reference was thereby dismissed for being time barred with no orders as to costs. Delivered on 30 th November, 2022	No Appeal filed. Implementation not required by either party.
6.	Reference No. 5 of 2020 Christopher Ayieko & Another v. The Attorney General of the Republic of Kenya v. The Secretary General of the East African Community	Judgement delivered. The Court amongst other declarations declared the proposed Free Trade Area Agreement negotiated and/or intended to be negotiated between the 1 st Respondent and the United States of America without the involvement of the other Partner States illegal, null and void. It also declared that the inaction of the 2 nd Respondent is	An Appeal was filed by the Attorney General of the Republic of Kenya.

	NO	DECISION AND DATE DELIVERED	IMPLEMENTATION STATUS
		an infringement of the Treaty provisions on fundamental principles and the doctrines of good governance, the rule of law and transparency. The Court ordered that costs shall be borne by the Respondents in equal proportion. Delivered on 2nd December, 2022	Implementation pending determination of the Appeal.

Table 28: EACJ Judgments in the Appellate Division

	CASE NO	DECISION AND DATE DELIVERED	IMPLEMENTATION STATUS
1.	Application no 4 of 2021 The Attorney General of the Republic of Rwanda v Union Trade Centre (UTC) & Others	Application was struck out with costs on 30/8/2022	No order to Implement except for costs.
2.	Consolidated Applications (for review of Judgment on Appeal no 5 of 2020) no 1 & 3 of 2022 Niyongabo Theodore & Another v The Attorney General of the Republic of Burundi	Both applications dismissed with no order as to costs on 31/8/2022 The decision on the main Appeal stands	No order to implement.
3.	Appeal no 2 of 2021 East Africa Law Society v The Attorney General of the United Republic of Tanzania & Another	Appeal dismissed on 31/8/2022 and each party to bear their own costs in the First Instance Division and the Appellate Division.	No order to implement
4.	Appeal no 10 of 2020 The Attorney General of Rwanda V Union Trade Centre (UTC) & Others	Appeal dismissed with costs to the Respondent in both divisions and judgment of the First Instance Division varied on 30/8/2022	The Judgment requires implementation pending execution proceedings.
5	Appeal no 4 of 2020 Eric Kabalisa Makala v The Attorney General of the Republic of Rwanda	Appeal dismissed on 2 nd December 2022 and each party ordered to bear their own Costs in both divisions of the Court	The Judgment does not require implementation
6	Application no 2 of 2020 The Attorney General of the Republic of Rwanda v Eric Kabalisa Makala	Application allowed on 2 nd December 2022 and each party ordered to bear their own Costs	The Ruling does not require implementation.

The Council took note of the Report of the East African Court of Justice on Implementation/Execution of the Court's Decisions/ Judgements.

8.3 LAKE VICTORIA FISHERIES ORGANISATION (LVFO)

The mandate of Lake Victoria Fisheries Organization (LVFO) is to coordinate the management and development of fisheries and aquaculture resources in the EAC. This report provides a summary of activities undertaken by the Organization since the previous ordinary session of the EAC Council.

Legal, Institutional and Organizational Framework Analysis of the proposed East African Fisheries Organization (EAFO)

Pursuant to the directive of the 35th Council to LVFO to initiate a Study to develop proposals on streamlining LVFO into EAC (**EAC/CM 35/Directive 89**), LVFO with support from the European Union through the ECOFISH project is conducting a study on legal, institutional and organizational framework analysis for the proposed East African Fisheries Organization (EAFO). National stakeholder and technical consultations have been undertaken and a regional validation meeting is expected in November 2022. This will be followed by a multi-sectoral council session with participation from all EAC Partner States.

Fisheries Resources Monitoring and Research

- a) **Surveys on schistosomiasis infection:** Results from surveys on schistosomiasis infection in fishing communities undertaken by the organization have opened the way for a nature-based solution to human schistosomiasis reduction. Restoration of fish communities could reduce snail abundance by increasing predation on snails by fish. Spillover of fish from restored areas could lead to improved catches outside, and improved availability of animal protein. This could further build resilience since children with more fish protein in their diets are less susceptible to schistosomiasis infection.
- b) **Hydroacoustic Survey:** A report was produced from analysis of the hydroacoustic survey conducted in 2021 which indicated that the average standing stock of Nile perch in Lake Victoria in 2021 is 502,919 tonnes. Out of this, the Tanzanian part of the lake has 335,170 tonnes, while Uganda and Kenya constituted about 150,886 and 16,863 tonnes respectively. Generally, the standing stocks of Nile perch declined to about 51% between 2020 and 2021. The major decline was observed in Uganda due to observed incidences of fish kills that had occurred and caused a major shortage of raw materials for fish processing factories. However, Nile perch has high reproductive potentials and if management measures put in place by the Partner States at regional level are fully implemented, then the stock can bounce back to sustainable levels.
- c) **Draft EAC Blue Economy Strategy:** AU-IBAR in collaboration with LVFO and the EAC Secretariat developed a draft EAC Blue Economy Strategy with a view of guiding the EAC Partner States to realize the full potential from the various

sectors of the blue economy. The objective of the Strategy is to guide the development of an inclusive and sustainable blue economy that becomes a significant contributor to continental economic transformation and growth, through advancing knowledge on marine and aquatic biotechnology, environmental sustainability, the growth of an Africa-wide shipping industry, the development of sea and inland water transport, clean energy, the management of fishing activities on these aquatic spaces, and the exploitation and harnessing benefits from deep sea minerals and other resources.

Capacity Building of Fisheries Stakeholders

- a) ***Monitoring, Control and Surveillance (MCS) in Lake Victoria:*** As part of Monitoring, Control and Surveillance (MCS) in Lake Victoria, a training was conducted for 12 Trainers and 60 Officers including Magistrates, Court Clerks, Prosecution and Security Officers. The trainees were equipped with regionally harmonized knowledge and skills to enable them enhance consistency in combating illegal, unreported and unregulated (IUU) fishing thus contributing to improved monitoring, control and surveillance (MCS). A training Manual was developed and is being used.
- b) ***Regional Training of Fisheries Inspectors and Fish Traders:*** The Regional Training of Fisheries Inspectors and Fish Traders was conducted in Bugarama-Burundi. A total of 35 fisheries and aquaculture inspectors and traders from the Republics of Burundi, Kenya and Uganda; and the United Republic of Tanzania were trained. The purpose of the training was to build the capacity of Fisheries Border Inspectors in official controls of imports and exports of fish, fishery and aquaculture products, inputs and fishing gears. It was also to create awareness to fish traders regarding guidelines in fish, fishery and aquaculture products, inputs and fishing gears in order to facilitate regional trade in fisheries and aquaculture products and inputs.
- c) ***Guidelines of Extraction, Processing and Trades of Nile Fish Maws in East Africa:*** A National Sensitisation workshop on the Guidelines of Extraction, Processing and Trades of Nile Fish Maws in East Africa was conducted in Uganda. The guidelines are aimed at ensuring that fish maw trade is done in an orderly manner for the sustainability of Nile perch stock in Lake Victoria and enhance income of all those involved along the value chain on Lake Victoria. The workshop was attended by 86 participants who were fisheries officers in ministries responsible for fisheries and aquaculture, district fisheries officers from the districts surrounding Lake Victoria, fish maw traders, artisanal processors, fish maw exporters, and Women Fish Processors' Associations.

- d) ***sensitization of business operators on fish safety and quality missions:***
Sensitization of business operators on fish safety and quality missions in the LVFO Partner States was conducted. The sensitization aimed at raising awareness to key stakeholders to adhere to measures set-out at regional and national levels to ensure that fish and fishery products are safe for human consumption.

- e) ***Trainings on “Introduction to aquatic genetics and biodiversity” and ‘Introduction to Molecular Biology and Bioinformatics:*** Trainings on “Introduction to aquatic genetics and biodiversity” as well as 'Introduction to Molecular Biology and Bioinformatics were undertaken for officials from the Partner States national research institutions. The project has also developed detailed research plans and Standard Operating Procedures (SOPs) for Genetic Screening Research. Sample collections and preliminary analyses are ongoing in Lake Victoria basin prior to conducting detailed analysis outside the region.

- f) ***Artisanal Fisheries and Aquaculture (ICAFA):*** LVFO in collaboration with Sustainable Fisheries Initiative and other stakeholders convened an International Conference on Artisanal Fisheries and Aquaculture (ICAFA) in September 2022. The conference was attended by participants from 13 regional, continental and international Organisations composed of stakeholders from industry, central and local governments, fishing community, international community, development partners among others. The conference proposed 13 key recommendations in respect of progressing the small-scale fisheries in the EAC. The recommendations include: improved communication; multi-stakeholder engagement in innovations; revival/revamping of co-management structures in artisanal fisheries; investment in fisheries and aquaculture; mind-set change; need to consider aquaculture as a viable and sustainable option not as an alternative; environmental sustainability; harnessing applied and basic research; embracing digital technology in artisanal fisheries and aquacultures; capacity building; management of fishing effort and capacity; policy engagement; and gender mainstreaming in fisheries and aquaculture.

Aquaculture

The LVFO Secretariat in collaboration with Landell Mills, FAO and WorldFish is implementing the EU-EAC TRUEFISH Farming Story in Lake Victoria Basin (TRUEFISH), financed by the EU. The objective of the project is to contribute to the development of competitive, gender equitable and sustainable commercial aquaculture in order to support economic development and sustainable management of natural resources in the Lake Victoria basin. The LVFO has held the second project steering committee (PSC) meeting to ensure effective implementation of the project.

Monitoring and Evaluation Plan as well as communication and visibility plan were approved by the PSC.

The project has conducted the Training Needs Assessments in the three training institutions, done different technical and socio-economic studies and elaborated an Aquaculture Business development plan. National baseline AAH self-assessments were concluded and different studies towards Lake Victoria Zoning have been conducted.

Community Management Project

LVFO is implementing a community management project preparation facility to develop an economically efficient, biologically, economically and socially sustainability project to promote a fishery with economic benefits to fishing communities (fisherfolk) while maintaining to the extent possible the traditional social structure in the fishing communities. So far, a legal study has been conducted to identify impediments or synergistic areas in the current legal regimes in Partner States. Need for legal backup at regional level has been identified including unified regional enforcement arrangements.

IFAD Supported Project

Through a competitive process, the LVFO in Partnership with the national fisheries research institutions (KMFRI, TAFIRI and NaFIRRI) has secured a grant (USD 1.5M) from IFAD, with an additional USD 500,000 being counterpart funding. The grant is for the support of a 3-year Lake Victoria Small Fish Project (LVSFP), whose purpose is to promote sustainable technologies and marketing strategies to increase incomes and reduce food losses in small fish systems. The project had its first Project Steering Committee meeting in June 2022 and implementation has started. The specific objectives of the project are to:

- a) promote green technologies for fishing, fish processing and preservation to ensure sustainable resources, environmental safety and improved livelihoods;
- b) support marketing innovations to increase incomes and nutrition benefits from small fish; and
- c) generate and disseminate knowledge for sustainable small fish systems and policy.

Operation Save Nile Perch (OSNP)

The three (3) riparian countries of Lake Victoria, the Republic of Kenya, United Republic of Tanzania and the Republic of Uganda in 2009 under the LVFO Council of Ministers agreed to Contribute USD 1.8 million to conduct a lake wide 14-days

operation to remove illegal fishing gears and reverse the decline of Nile perch stocks. The new OSNP implementation plan now has the following components:

- a) a regional planning and harmonization meeting;
- b) sensitization and mass mobilization of fishers on sustainable Monitoring Control and Surveillance activities;
- c) Procurement of Monitoring Control and Surveillance Communication Equipment;
- d) National Monitoring Control and Surveillance Operations;
- e) Regional evaluation and synthesis of OSNP outcomes; and
- f) Administrative and coordination costs to facilitate the process.

As part of implementation a regional planning and harmonization meeting to ensure effective implementation of Monitoring Control and Surveillance activities under Operation Save Nile Perch took place in Mwanza in May 2022 and in Kakamega in September 2022. The OSNP Technical expert meeting developed a regional plan of action for undertaking coordinated and synchronized operations.

The Council took note of the progress on the different initiatives coordinated by LVFO for the sustainable management and development of fisheries and aquaculture in the EAC.

8.4 EAST AFRICAN HEALTH RESEARCH COMMISSION (EAHRC)

Report of the 22nd Meeting of the EAC Sectoral Council of Ministers of Health

The 22nd Ordinary Meeting of the EAC Sectoral Council of Ministers of Health was held in Arusha on 15th July 2022. The Sectoral Council made the following decisions and directives in respect of the East African Health Research Commission:

- (a) directed the East Africa Health Research Commission to convene a meeting of the Regional Experts Steering Committee (RESC) to develop the terms of reference for a consultancy to develop the architectural design and bill of quantities for the headquarters **(EAC/SCHealth/22/Directive 055)**;
- (b) directed the Commission to synthesize the ground breaking research results from EAHRC journals with policy implications for presentation in the 23rd Sectoral Council of Ministers **(EAC/SCHealth/22/Directive 056)**;
- (c) directed the EAHRC and Partner States to implement the recommendations emanated from the 8th East African Health and Scientific Conference **(EAC/SCHealth/22/Directive 057)**;
- (d) approved the main theme of the 9th East African Health and Scientific Conference as: *“Strategies and Challenges to preparedness and response to Communicable and Non-Communicable Diseases: lessons learnt from the COVID-19 pandemic”* **(EAC/SCHealth/22/Decision 009)**.

Progress Report of the Commission

Institutional Capacity Development

EAHRC Permanent Headquarters (HQs)

The Council recalled that the 21st Sectoral Council of Ministers of Health approved the roadmap for the construction of the EAHRC Headquarters. **(EAC/SC Health/21/Decision020)**.

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The 22nd Sectoral Council of Ministers of Health directed the East Africa Health Research Commission to convene a meeting of the Regional Experts Steering Committee (RESC) to develop the terms of reference for a consultancy to develop the architectural design and bill of quantities for the EAHRC headquarters and finetune the advert **(EAC/SCHealth/22/Directive055)**.

The EAC Partner States duly submitted nominations of Regional Expert Steering members. In addition, upon the request from the EAHRC Secretariat, the Republic of Burundi nominated seven (07) members to be part of the National Experts Steering Committee (NESC). The NESC will be overseeing the construction and report to the RESC. The meeting of the regional experts was held from 21st to 22nd July 2022 at EAHRC headquarters. An advert of Expression of Interest to construct the permanent EAHRC HQ was sent out from 30th September 2022.

Research Collaboration and Capacity Development

Digital Regional East African Community Health (Digital REACH) Strategic Plan 2019-2028.

The 15th Sectoral Council on Health **(EAC/Health/15SCM/Decision 21)** and subsequently the 35th Extra-ordinary Council of Ministers **(EAC/EX-CM/35/Decision 18)** approved the Digital Regional East African Community Health (Digital REACH) roadmap and recommended the EAHRC Secretariat to develop a strategic plan for its implementation. Digital Health was approved by the 19th Ordinary Summit of the EAC Heads of State as one component of the nine (9) health sector investment priorities for the region for the next ten (10) years (2018-2028).

The EAHRC Secretariat started to implement one of the health programs, namely the East African Health Cloud (EAHC), an interoperable health information system that will enable real-time capture, storage, analysis, and retrieval of health data across the region. The EAHRC secretariat conducted an assessment of three common goods: facility registry, terminology service and regional data warehouse in five EAC Partner States namely the Republic of Burundi, the Republic of Kenya, the Republic of Rwanda, the United Republic of Tanzania and the Republic of Uganda. The

assessment will help the EAHRC secretariat to develop a dynamic and interactive data repository through the East Africa Health Data Visualization Portal (EAHDVP).

Furthermore, the East African Science and Technology Commission (EASTECO) and the EAHRC signed a Memorandum of Understanding (MOU) on behalf of the EAC with Vital Wave, Inc. as their primary implementation partner for both the Digital Agenda and DRI activities. Together, the partners of the MOU have garnered financial support from the United States Agency for International Development (USAID) in partnership with the Digital Square team at PATH to undertake immediate activities. This funding will enable the development of three key assets: (i) an inclusive articulation of the Regional Digital Agenda's end-state vision, approach, and strategy, including the role of Health; (ii) a regional assessment of digital assets, capacity, and readiness of the Partner States for implementation of the Agenda and the priority DRI use cases, and (iii) an implementation roadmap and costed plan to implement the shared EAHRC platform and READSCoR programme in support of the Agenda and DRI goals.

The deliverables described above will be completed within the first half of 2023. Key milestones of this work include a regional convening during the week of November 14, 2022 in Arusha and a primary-research study across the Partner States to inform the development of the regional assessment. The partners of the MOU have also begun resource mobilization in support of continued work after this first phase.

EAHRC Knowledge Management Platforms

East Africa Web Portal for Health Information (www.eahealth.org)

The East Africa Web Portal is a knowledge management platform for health which provides a platform for a single-point-of-access of health information by stakeholders in the region and globally and showcases the capacity in the health sector available in the region.

The 18th Sectoral Council of Minister of Health held in Dar es Salaam, URT on March 26, 2019 (EAC/HEALTH/18SCM/2019), *directed the EAC Partner States to facilitate access the required official health information and data to be posted on the EA web portal for Health information through the relevant ministries (EAC/SCHealth/18/Directive 43).*

The Council will be informed that the EAHRC conducted a virtual workshop training for the EA web portal focal person to harmonize health data indicators collection tools. Harmonisation of the data collection tools will facilitate the EAHRC to develop Application Programming Interface (API) for smooth integration of health data between the EA web portal and the DHIS2 of EAC Partner States.

In response to COVID-19 pandemic, EAHRC secretariat developed a diseases surveillance dashboard for the EAC Partner States and world map health in real time. The dashboard provides COVID-19 status in real time in the region.

The EA web portal has a landing page for an electronic conferences management system. The landing page can manage all conferences electronically including submission of abstracts, review, registration, evaluation, program, etc. The Council will further be informed that the landing page for hosting the upcoming 9th EAHSC is currently operational and updated. The EAHRC Secretariat has started to receive and upload to the web portal the health data indicators from the EAC Partner States.

The 9th East African Health and Scientific Conference

The 21st Ordinary Sectoral Council of Ministers of Health held in Zanzibar, from 6th to 10th December 2021 decided that the 9th East African Health and Scientific Conference would be hosted by the Republic of South Sudan **(EAC/SC Health/21/Directive091)**.

The 22nd Sectoral Council of Ministers of Health approved the main theme to be covered during the conference which is: *“Challenges and Strategies to Preparedness and Response to Communicable and Non-Communicable Diseases: Lessons Learnt from the COVID-19 Pandemic”*.

The scientific committee of the EAHRC identified six (06) sub-themes and four (04) symposia which will be submitted to the scientific sub-committee of the host country for consideration

By correspondence dated 19th July 2022, addressed to the EAHRC, the Republic of South Sudan (RSS), the RSS notified the EAHRC of her inability to host the 9th EAHSC in March 2023 because she had not finalized the plans to organize the Conference and proposed that RSS would be ready to host this event by the next rotation.

Subsequently, the EAHRC submitted a request to the Republic of Rwanda, the next host Country, to host the 9th EAHSC and by letter dated 29th September 2022, the Republic of Rwanda agreed to host the 9th EAHSC conference preferably in early June 2023 to allow ample time for preparations.

The Council:

- (a) took note of the maintaining and updating of the EA Web Portal for health information: www.eahealth.org; and**
- (b) took note of the status of the preparations of the 9th East African Health and Scientific Conference.**

8.5 EAST AFRICAN COMPETITION AUTHORITY (EACA)

Activities of the East African Competition Authority

The EAC Competition Authority (Authority) is mandated to promote and protect fair competition and ensure consumer welfare in the EAC region. It has both investigative and adjudicative functions as a regional body responsible for regulating cross border anti-competitive business practices and advocating for effective and efficient EAC regional markets.

In accordance with the EAC Competition Act, 2006 (the Act), the EAC Competition Authority Strategic Plan 2019/20 – 2023/24 and the Annual Operational Plan for 2022/2023, the Authority carried out and achieved the following activities:

EAC Merger and Acquisition Guidelines

The EAC Competition Act, 2006 grants the Authority the power to issue guidelines on the processes or procedures of the Authority. The Authority developed EAC Competition draft Mergers and Acquisitions Assessment Guidelines, 2022. The Guidelines aim to provide clarity, transparency and predictability on the processes and considerations during merger review and to equip business community and their legal representatives with information on how the Authority will conduct the review of transactions and assessment of anticompetitive conducts.

Stakeholder Awareness and Sensitization

In line with her mandate of building capacity in regard to competition policy and law matters in the Community, the Authority continued to undertake stakeholders' awareness and sensitization activities on EAC competition policy and law with the aim of promoting and encouraging competition and enhancing consumer welfare. The Authority engaged the Rwanda Inspectorate Competition and Consumer Protection Authority (RICA), as one of the newest competition authorities in the Community and Ministry of Trade, Transport, Industry and Tourism in Burundi, responsible for competition matters. The discussions were aimed at conducting a needs assessment to identify requisite infrastructure that could be used to support operationalization and development of necessary toolkits to facilitate implementation of their competition laws.

Corporate Brand Identity

In line with the Authority's Strategic Plan 2019/20-2023/24, the Authority developed EAC Competition Authority draft corporate brand identity, including publicity materials, whose objective is to ensure visibility and successful implementation of the Authority's mandate. The brand Identity will also aid the Authority in communicating a consistent

message to stakeholders. Further, promotional materials will be used to brand the Authority and to engage the target stakeholders.

Cooperation frameworks with EAC partner States Competition Agencies

Pursuant to section 43 of the Act and the Authority Strategic Plan, 2019/20-2023/24, the Authority negotiated and concluded a cooperation framework with the Competition Authority of Kenya. The Memorandum of Understanding is awaiting legal review and signature.

Tripartite Free Trade Area and African Continental Free Trade Area Negotiations

The Authority convened and facilitated Partner States to develop Tripartite Free Trade Area (TFTA) *(which includes COMESA, EAC and SADC and African Continental Free Trade Area (AfCFTA))* positions in regard to drafting competition policy protocols and other working modalities for implementation of the said protocols, prior to regional and continental meetings respectively. The Authority also participated and provided technical assistance to Partner States during the TFTA and AfCFTA meetings. The Tripartite Competition Policy was finalized and approved by the Tripartite Trade Negotiations Forum (TTNF) and now awaiting approval by the Tripartite Sectoral Ministerial Committee and Tripartite Council of Ministers. The AfCFTA Protocol on Competition Policy was approved by the AfCFTA Council of Ministers on 28th October, 2022. These Protocols on competition policy generally provides for the foundation for an integrated and unified Tripartite and African continental competition regime respectively.

The Council took note of the status of implementation of the activities of the EAC Competition Authority in executing her mandate.

8.6 EAST AFRICAN COMMUNITY CIVIL AVIATION SAFETY AND SECURITY OVERSIGHT AGENCY (CASSOA)

The Agency carried out the following activities while implementing its strategic plan and in compliance with the objectives prescribed in the Protocol.

This report covers its activities for the period 13th April 2022 to 1st October 2022.

Proposed Amendments to the Protocol on the Establishment of the East African Community Civil Aviation Safety and Security Oversight Agency (2007) and the East African Community Civil Aviation Safety and Security Oversight Agency Act, 2009.

The Council shall recall that following the directive of the 24th Meeting of the Council, the EAC-CASSOA was required to reconcile the CASSOA Protocol, 2007 with the provisions of the Treaty for the Establishment of the EAC and the CASSOA Act, 2009 and submit proposals for amendment. CASSOA undertook the exercise as directed.

The Council at its 39th Meeting directed the Secretary-General to submit the proposed amendments of the CASSOA Protocol, 2007 and the CASSOA Act, 2009 to the Partner States for comments in line with Article 150 (3) of the Treaty and Article 22 (4) of the CASSOA Protocol and report to the Council.

The Agency wishes to inform the Council that to date, only two Partner States - the Republic of Rwanda and the United Republic of Tanzania, have submitted comments, hereto attached as **Annex XXXV**.

Pursuant to Articles 150(4) of the Treaty and 22(4) of the CASSOA Protocol, the ninety-day timeline for submission of Partner States' comments has lapsed, and the Agency at the 42nd Meeting of the Council sought to request that the comments from the Republic of Rwanda be considered by the Sectoral Council on Legal and Judicial Affairs for legal input, and subsequent finalizing of the amendment process.

The Council, in considering this request, directed the Republic of Burundi, the Republic of Kenya, the Republic of South Sudan, the Republic of Uganda and the United Republic of Tanzania to submit their comments on the proposed amendments by 30th August 2022 (**EAC/CM 42/directive 47**).

Negotiation of the host Agreement between EAC and the Government of Kenya the Centre for Aviation Medicine (CAM) in Nairobi.

The Council shall be informed that the Centre for Aviation Medicine has since been completed and is to be handed over to the Agency. The Agency is currently finalizing negotiations of the Hosting Agreement with the Government of Kenya. A meeting was held between the Agency and key government stakeholders on the 17th-18th September, 2022, and the negotiation process was concluded in November 2022 and the Hosting Agreement awaits cabinet approval.

Development, Review and Amendments of Model EAC Civil Aviation Regulations and Technical Guidance Material

The Agency reviewed Model EAC Regulations, incorporating the latest editions of ICAO Annexes as follows-

- a) Model EAC Dangerous Goods Regulations;
- b) Model EAC (Unmanned Aircraft Systems) Regulations; and
- c) Development of Model EAC Civil Aviation (Fatigue Risk Management) Regulations.

In addition, the Agency developed and reviewed the Draft Model EAC Technical Guidance Materials (TGMs):

- a) Review and Amendment of the Aviation Security Inspector's Manual;
- b) Review of ATS and CNS TGMs;
- c) Review Aviation Medicine Related Regulations and Technical Guidance Materials (TGMs);
- d) Review the Model Technical Guidance Materials on Exemptions and Enforcement Procedure; and
- e) Review of the National Civil Aviation Security Training Programme.

Facilitation of Capacity building Training in Civil Aviation

The Agency facilitated capacity-building trainings in collaboration with ICAO and European Union Aviation Safety Agency (EASA). The following training sessions enhanced knowledge and skills in areas of great concern in civil aviation:

- a) EU-ASA Specific Approvals Training for the EAC Partner States;
- b) CASSOA/ICAO Workshop on Aerodrome Certification for EAC Partner States;
- c) EU ASA Training on Examination Techniques for Partner States; and
- d) CASSOA/ICAO Training on Runway Safety Team.

Facilitating Partner States in the Implementation of the State Safety Programme (SSP)

The Agency facilitated the State Safety Programme (SSP) Experts forum for the review of regional gap analysis, regional SSP/SMS Roadmap and status of SSP Implementation Protocol Questions, self-Assessment and SMS Assessment checklist/tool development.

The Agency and the SSP Experts from the Partner States developed a new Model EAC SMS Assessment Tool/Checklist for purposes of conducting oversight of SMS of service providers and organizations. The tool is indispensable in helping the assessment and collection of objective evidence on the implementation of both the SMS and SSP. The Experts also exchanged various experiences in the Partner States in preparation to the Phase 2 implementation of SSP as guided in the ICAO Doc 10004 - Global Aviation Safety Plan (2020-2022).

Implementation of European Union – Africa Safety in Aviation Project (EU-ASA)

The Delegation Agreement DCI/PANAF/2018/403-769 between the European Commission (EC) and the European Union Aviation Safety Agency (EASA) related to the Action EU-Africa Safety in Aviation (EU-ASA) entered into force on the 17th of December 2018. The overall objective of the EU-ASA project is therefore to improve aviation safety in Africa.

The specific objective of the project is to assist African Member States to meet their obligations under the Chicago Convention in establishing an effective aviation safety oversight system. The project adopts a regional approach to achieve this specific objective.

The Agency continued to conduct the following activities in relation to the Key Result Areas during the reporting period:

- a) Conducting **Workshops to develop and review Model EAC (Civil Aviation) Regulations** in safety-related domains; and
- b) Conducting **Workshops to develop and review Model EAC (Civil Aviation) Technical Guidance Material** in safety-related domains.

Implementation of African and Indian Ocean – Cooperative Inspectorate Scheme (AFI-CIS) in collaboration with AFCAC to aid building of Safety Oversight Capability of the Republic of South Sudan

The Republic of South Sudan as a member of the East African Community since 15th August 2016, committed to the implementation of the principles, programmes and policies which are geared towards the integration of the EAC Partner States. The programmes and policies which are administered by various EAC Organs and Institutions are intended to harmonize processes, procedures and regulatory frameworks to facilitate the regional agenda.

It is against this background that EAC-CASSOA has set strategies towards enabling RSS to establish and maintain an aviation safety and security oversight system commensurate with the concept and strategy of harmonization of aviation procedures and legal framework.

In order to achieve this, the Agency considered the development and implementation of a dedicated project to enable the RSS to establish its safety and security oversight system in line with the ICAO 8 Critical Elements of safety oversight system. The Agency in collaboration with the African Civil Aviation Commission (AFCAC) has set aside funds to implement a project under the AFI CIS Programme. The programme is intended to be implemented under the following phases:

- a) **Phase 1:** This will prioritize Critical Element (CE) 1 - Primary Aviation Legislation, CE- 2 Specific Operating Regulations and CE-5 Technical Guidance Materials, Tools and the provision of Safety-Critical information;
- b) **Phase 2:** This will focus on Critical Elements 3 and 4, associated with the safety oversight organisation (CAA), training and qualification of personnel; and
- c) **Phase 3:** This will focus on Critical Elements 6, 7 and 8 associated with the implementation of safety oversight i.e., licensing/certification/approval/authorization, inspection, surveillance and resolution of safety concerns.

Phase 1 activities were conducted during the month of July and September 2022. Subsequent phases will be jointly planned among the Agency, AFCAC and ICAO.

Provision of Technical Support to Partner States to comply with Civil Aviation Security Regulations and Improvement of Effective Implementation (EI) under the ICAO Universal Safety Audit Programme (USOAP) and Universal Safety Security Audit Programme (USAP)

The Agency assisted Partner States in the improvement of aviation SAFETY AND security oversight capability and capacity through the following technical support mission:

- a) PEL/AVMED Technical Mission to the Republic of Burundi;
- b) Technical Mission to Tanzania Civil Aviation Authority in Support of the Flight Safety Standards domain;
- c) Technical Mission to Uganda Civil Aviation Authority in Support of AVSEC USAP audit preparedness;
- d) Technical Mission to Uganda Civil Aviation Authority in Support FSS and AGA USOAP audit preparedness;
- e) Joint CASSOA/AFCAC Technical Support to the Republic of Sudan under the AFI CIS Programme;
- f) AVMED Technical Mission to the United Republic of Tanzania.

The Council :

- a) Took note of the progress report from the Civil Aviation Safety and Security Oversight Agency in line with its mandate;
- b) Took note that the Republic of Rwanda and the United Republic of Tanzania submitted comments on the proposed amendments to the CASSOA Protocol and the CASSOA Act, 2009; and
- c) referred the comments submitted by the Republic of Rwanda and the United Republic of Tanzania on the proposed amendments to the CASSOA Protocol and the CASSOA Act, 2009 to the Sectoral Council on Legal and Judicial Affairs for legal input (EAC/CM 43/ Decision 98).

8.7 EAST AFRICA SCIENCE AND TECHNOLOGY COMMISSION (EASTECO)

Amendment to the EASTECO Protocol

The 41st Meeting of the Council directed the EAC Secretariat to organize a meeting of experts from the Science and Technology and Legal sectors to incorporate the comments from the Partner States on the proposed amendments to the Protocol (EAC/CM 41/Directive 58); and submit the proposed amendments to the Sectoral Council on Education, Science and Technology, Culture and Sports (EAC/CM 41/Directive 59). Subsequent to this, EASTECO, in collaboration with the Office of the CTC, organized the meeting of experts from 18th to 19th October 2022 in Nairobi Kenya to incorporate comments from the Partner States. In the Draft Revised EASTECO Protocol, the size of the Board is reduced from 44 to 13 members; the functions of the Governing Board were specified, and separated from the functions of the Commission; other errors and inconsistencies were also rectified. The Revised draft will be presented to the 18th Sectoral Council on Education Science and Technology, Culture and Sports and the Council for consideration.

Evaluation of 1st EASTECO Strategic Plan 2016/17 - 2021/22, and the Development of 2nd EASTECO Strategic Plan 2022/23-2027/28

The first 5-Years Strategic Plan EASTECO ended in June 2022. Terminal evaluation to determine the level of achievement of the set targets by end of the Strategic Plan period is in progress following the engagement of a consultant on 18th May 2022. The terminal evaluation is to be conducted back-to back with the development of the second five-year Strategic Plan 2022/23 – 2027/28. The strategic plan will set priorities, action plans and anticipated results of the Commission for next 5-years, based on clear assessment of EASTECO resources and capabilities. The first Draft of the Strategic Plan was shared with EASTECO for comments and the comments have been submitted to the consultant for incorporation. The 2nd 5-year strategic plan is informed by lessons learnt from the mid-term and the terminal evaluation of the first 5-year strategic Plan. In addition, an evaluation of policies and strategies in Science technology and innovation in the EAC Partner States has been conducted to identify gaps and ensure improvement at the regional level. The 2nd five-year Strategic Plan guarantee that EASTECO pursues higher regional priorities and emerging technologies to address regional development targets identified in the 6th EAC development Plan. The 2nd Draft is due for validation and the validated Plan will be presented to an extra Ordinary Board Meeting in January for consideration.

Development of the EAC Regional Policy for Science, Technology and Innovation and the EAC Regional Policy for Intellectual Property

The Draft EAC Regional Policy for Science, Technology and Innovation and the draft EAC Regional Policy for Intellectual Property were developed and presented to the

4th EASTECO Governing Board, which approved and recommended them to the EAC Council of ministers for consideration. Both drafts policies were presented to the 17th Sectoral Council on Education Science and Technology, Culture and Sports (SCESTCS) for consideration and recommendation to the Council for approval, but URT requested to be given time up to 31st May 2022 to conclude internal consultations and submit comments for consideration. The URT has since submitted comments on the draft Regional Intellectual Property Policy, and also comments on the STI policy. EASTECO has incorporated the comments and come up with the revised draft of the two policies. The Commission is in the process of convening a regional technical committee to review the incorporated comments and consider other emerging issues in updating the policies to come up with the final drafts to be presented for consideration by the Council. The two policies are the foundational documents to guide the development, management, and application of STI in the EAC region.

Development of the EAC Regional Science, technology and Innovation Strategies

EASTECO has developed three regional strategies to guide the implementation of strategic areas of STI in the EAC. The strategies, which are at different levels in the approval process include:

- a. The EAC Regional Strategy for Bioeconomy;
- b. The EAC Regional Strategy for Science Technology, Engineering and Mathematics; and
- c. The EAC Regional Strategy for Indigenous Knowledge and Technology Systems.

The final draft of the EAC Regional Strategy for Bioeconomy was adopted by the 5th EASTECO Governing Board and approved by the 17th SCESTCS. The Strategy was approved by the 42nd Council and is currently being implemented. The Draft EAC Regional Strategy for Science Technology, Engineering and Mathematics (STEM) was presented and adopted by the 7th EASTECO Governing Board in May 2022 and recommended for consideration by the 18th SCESTCS. Similarly, the EAC Regional Strategy for Indigenous Knowledge and Technology was presented and approved by the 7th EASTECO Governing Board in May 2022, and recommended it for consideration and approval by the SCESTCS. The two strategies are lined up for presentation to the 18th SCESTCS.

Dissemination of Science and Technology knowledge and innovations for uptake and commercialization

In an effort to promote dissemination, access and application of scientific knowledge, technologies and innovations in the region, EASTECO:

- a. Published Volume 2 Issue No 4 in September 2022 in the East African Journal of Science Technology and Innovation (EAJSTI);

- b. Organized the First Youth Innovation Forum in Kampala, Uganda on 8-10 November 2022.

The EASTECO published Volume 2 Issue No.4 of the Journal, with a total of 8 articles in seven thematic areas within the reporting period. The journal has been indexed in the CABI Abstracts and has accepted for indexing in the African Journal Online (AJOL). The Youth Innovation Forum was organized in collaboration with stakeholders of STI in the region and globally, including Ministries responsible for STI, National Councils and Commissions of Science and Technology. The Forum provided a platform for the youth in Science, Technology and Innovation in the East African Community and beyond to share their innovation experiences. The best youth innovator from each Partner State was awarded USD 5000 to support development of their innovations to marketable products. In addition, a number of exhibitions of innovations and papers on innovations were presented at the forum.

East African Regional Research and Development Working Group (RDWG)

In an effort to operationalize the East African Research and Development working group, EASTECO advertised and received applications from scientists in the region for membership to sub-Committees of the East African Research and Development Working Group. The purpose of the RDWG is to stimulate dialogue among stakeholders; promote partnerships within the research community including the government, civil society, the public and the private sector; advise the commission on collaborative multidisciplinary research priorities; promote dissemination of research outputs; and ensure mobilization of resources to support R&D in the region. The applications were processed and a total of 12 members appointed to each of the following three sub-Committees of the RDWG:

- i. Research Grants Sub Committee
- ii. Research Communication Sub Committee (RCC)
- iii. Resource mobilization and Planning Sub Committee (RMPC)

Three Partner States have submitted nominations of membership to the working Group and the working group will be fully constituted and operationalized as soon as the other Partner States submit the nominees.

Advancements on Collaboration and Partnership in Science, Technology and Innovation

Within the reporting period, a number of partnerships with development partners and STI stakeholders were mobilized and formalized through various instruments to support EASTECO projects and program. One MOU was signed with Inter-University Council for East Africa (IUCEA). The formalized collaboration is aimed at jointly advancing areas of common interest in STI for the benefit of the citizens of the EAC.

The Council took note of the developments and progress made in the implementation of activities of the EASTECO.

8.8 EAST AFRICA KISWAHILI COMMISSION (EAKC)

Progress on Implementation of EAKC Activities

a) Roadmap on Implementation of Kiswahili as an Official Language of the EAC

The 42nd Council of Ministers approved the Roadmap for implementation of Kiswahili as an Official Language of the EAC (**EAC/CM42/Decision 23**). Further, the 22nd Ordinary Summit of EAC Heads of States held on 22nd July, 2022 received a report on the Roadmap and directed Council to expedite its implementation. Consequently, the EAKC convened meetings of National Kiswahili stakeholders and experts from the EAC Partner States (except the DRC) to develop national implementation plans and strategies for the respective Partner States. Activities that have been prioritized include capacity building, provision of translation and interpretation services, resource mobilization, development of EAC Language Policy, development of National Kiswahili Language Policies, development of the EAC Kiswahili Language Policy, awareness creation/publicity and development of Strategic partnerships and collaborations were developed. The EAKC has also liaised with the Counsel to the Community, which has commenced steps towards amendment of the EAC Treaty to provide for Kiswahili as an Official Language of the Community. The EAC Organs and Institutions have also held discussions on their various roles on the implementation of the Roadmap. The EAKC has prioritized the implementation of the Roadmap in its proposed budget and planned activities and has already commenced implementation in collaboration with other EAC organs and institutions.

b) Progress on Land for Future Permanent Headquarters of the EAKC

Following his appointment, the EAC Secretary General visited the EAKC headquarters in Zanzibar on 19th June 2021 as part of his mission to pay a courtesy call on the President of Zanzibar. During the meeting with the President, the Secretary General made a request for land for the future headquarters of EAKC, which was considered positively. The Secretary General made a follow up on this matter vide a letter through the Ministry of Foreign Affairs and East African Cooperation, United Republic of Tanzania. The Revolutionary Government of Zanzibar by their letter dated 29th December 2022 responded positively on this matter and proposed 10 parcels to be considered for the future headquarters of the EAKC. The EAKC communicated this development to the EAC Secretary General on 12th January 2023 and requested for staff with expertise from the Secretariat to assist the EAKC in identification of the appropriate parcel from the ones presented by the Revolutionary Government of Zanzibar. The Secretary General has already assigned the relevant staff who will soon visit Zanzibar to identify the appropriate parcel and make recommendations to the

relevant Sectoral Council for the next steps to be undertaken. The letter from the Revolutionary Government of Zanzibar presenting the proposed parcels of land is attached as **Annex XXXVI**.

c) Progress on Development of the 2nd EAKC Strategic Plan

The 1st EAKC Strategic Plan expired on June 30th 2022. Though the Commission had commenced the steps towards the development of the 2nd Strategic Plan, the procurement process to bring on board the consultant to steer this process took long. Consequently, the budget that had been earmarked for this activity in the financial year 2021/2022 could not be utilized on time and was thus taken to the General Reserve Fund. Due to the importance of this activity, the Commission made a request through the Finance and Administration Committee (F&A) for a supplementary budget amounting to USD 38,000 for this activity. As soon as the requested supplementary budget is approved by the Council the Commission will proceed with the steps to sign the contract with the successful consultant and fast track the process of developing the 2nd EAKC Strategic Plan. In the interim period, the EAKC has focused its activities on the implementation of Kiswahili as an Official Language of the Community as was directed by the Summit.

d) Support to Postgraduate Students

One of the mandates of the EAKC is to promote and strengthen Kiswahili research for the development of Kiswahili in the region. This is also in line with the mandate of the Commission to implement Kiswahili as an official language of the EAC following the declaration of the 21st Summit of EAC Heads of State. The implementation of this mandate, among other things, requires building capacities for research and developing a new generation group of Kiswahili researchers, scholars and practitioners in the EAC Partner States. In view of this, the EAKC put forth a call for proposals aimed at supporting young researchers from the EAC Partner States undertake researches in Kiswahili. The young researchers were mainly postgraduate students in universities in the Partner States. The supported researchers were identified through a competitive process and were representative of the EAC Partner States except the Republic of South Sudan that did not submit any proposals.

With the total budget of USD 17,700 (Seventeen thousand Seven Hundred United States dollars) the ceiling/maximum amount awarded was USD 3500 and was the basis on which the candidates were to make their requests. The applicants whose budgets exceeded the ceiling were awarded the ceiling amount i.e USD 3500 while those whose budgets were below the ceiling/maximum amount were awarded the full amounts requested for.

Disbursement of Funds

The funds were disbursed to the beneficiaries from the Republic of Kenya, Republic of Rwanda and United Republic of Tanzania in September 2022 and the beneficiaries from the Republic of Burundi and Republic of Uganda received their payments in January 2023.

Research Areas

The research areas ranged from Kiswahili and Education, Kiswahili and Health Communication and Kiswahili and the Creative Economy and are detailed below;

- i. Benjamin Niyubahwe: *Makosa ya Kiisimu yanayojitokeza katika Vitabu vya Shule za Sekondari nchini Burundi*
- ii. Akutuya Jamila Masitsa : *Uchanganuzi wa Matumizi ya Nyimbo za Kiswahili katika Radio Teule Nchini Kenya kwenye Uhamasishaji wa Umma kuhusu UVIKO-19*
- iii. Ntawiyanga Sylvain: *Ufundishaji na Ujifunzaji wa Msamiati wa Kiswahili katika shule za Upili nchini Rwanda: Mbinu, Changamoto na Mapendekezo ya Uboreshaji*
- iv. Matovu Julius: *Uchuguzi wa Matumizi ya Filamu za Kibongo zenye Tafsiri katika Ufundishaji wa Msamiati wa Kiswahili kama Lugha ya Kigeni*
- v. Benedict Charles Nyamatari: *Dhima za Uhamnazo wa Mhusika Mlinzi katika Filamu za Kibongo: Mifano kutoka Filamu Teule.*

Table 29: Grant Beneficiaries at the EAKC

No	Name	Level	Sex	Proposed Budget	Award in USD	Institution
1	Republic of Burundi					
	Niyubahwe Benjamin	MA	Male	13,048(USD)	3,500	Open University of Tanzania
2	Republic of Kenya					
	Akutuya Jamila Masista	MA	Female	2,673,000(Kshs)	3,500	Masinde Muliro University of Science and Technology, Kenya
3	Republic of Rwanda					
	Ntawiyanga Sylvain	PhD	Male	17,258,237(RwF)	3,500	University of Rwanda
4	Republic of Uganda					
	Matovu Julius	MA	Male	6,816,600(Tsh)	2,963	University of Dar es Salaam
5	United Republic of Tanzania					
	Benedict Charles Nyamatari	PhD	Male	3,492,500(Tsh)	1,518	University of Dar es Salaam
	Total Amount Awarded				14,981	

The grant beneficiaries have made good progress and have submitted dissemination plans for their research outcomes. They will further present the outcomes in relevant regional seminars including the 2nd EAKC International Kiswahili Conference and the CHAKITA Conference to be held in March 2023 in Kenya.

The Council took note of the developments and progress made in the implementation of activities of the EAKC.

8.9 INTER UNIVERSITY COUNCIL OF EAST AFRICA (IUCEA)

8.9.1 PROGRESS REPORT ON THE FRAMEWORK FOR OPERATIONALIZATION OF COMMON HIGHER EDUCATION AREA (CHEA)

Following the declaration of the East African Community by the Summit of the East African Heads of State as a Common Higher Education Area (CHEA) in 2017, IUCEA has since embarked on measures and initiatives aimed at harmonizing higher education and training systems in EAC, to facilitate and enable the mobility of students and teachers and promote the free movement of labour, people, and services as envisioned under the Treaty for the Establishment of the EAC (1999) and the Common Market Protocol (2010).

To achieve a common higher education space, the Summit entrusted the Council of Ministers to coordinate the operationalization of CHEA and the Inter- University Council for East Africa (IUCEA) was mandated to offer technical support in:

- a) Creating a common frame of references (frameworks) to facilitate comparability, compatibility and mutual recognition of higher education and training systems and the qualifications attained within the EAC Partner States, based on shared views on quality, criteria, standards and learning outcomes; and
- b) Operationalizing the regional frameworks that is: develop and present the implementation arrangements or strategies and road maps to Partner States for adoption and agree on national road maps (or ToRs), oversee implementation of the approved strategies and issue annual stock-taking report.

At the 16th Meeting of the Sectoral Council on Education, Science and Technology, Culture and Sports held from 31st May to 4th June 2021 in Dar-es-Salaam, the Sectoral Council directed IUCEA to:

- a) Speed up the operationalization of CHEA and;
- b) Prepare a road map and/or implementation strategies towards a CHEA to be presented at the next 17th meeting.

In pursuit to implement the directive of the Sectoral Council, IUCEA prepared an implementation plan which was incorporated and reflected in its Strategic Plan of **2021-2026** as highlighted below:

1. Implementation Strategy

The implementation strategy to realise the EACHEA is based on the IUCEA Strategic Plan 2021-2026. IUCEA envisaged that by June 2025, the East African Community (EAC) will have a more harmonized higher education system with stakeholders who understand and appreciate the benefits and opportunities that the EACHEA creates. The seven (7) key strategic areas IUCEA proposed to focus on during the implementation of the EACHEA are as follows: -

- a) Enhancing stakeholders' understanding of the benefits and opportunities of EACHEA;
- b) Ensuring compliance to the requirements for implementation of EACHEA;
- c) Strengthening cooperation and transparency in Quality Assurance Practices;
- d) Development of comparable National Qualifications Frameworks in line with East African Qualifications Framework for Higher Education (EAQFHE);
- e) Enhancing involvement of Technical and Vocational Education and Training (TVET) in the CHEA process;
- f) Promote mobility of students and staff; and
- g) Strengthening university-industry linkages.

2. Implementation Arrangements

To realise the EACHEA, governance of the implementation will be as follows:

The Regional Committee for CHEA, IUCEA, and Partner States (Councils and/or Commissions for Higher Education, and Higher Education Institutions (HEIs) will be directly involved in the implementation, supervision, and monitoring and evaluation of the initiative. Specifically: -

- a) **The Regional Committee on CHEA** will provide the overall guidance and oversight towards a Common Higher Education Space in EAC. Specifically, it will ensure that common frameworks are developed and operationalized;
- b) **Governments** will offer implementation support and supervision of the initiative at national level and put in place a National Steering Committee (NSC). In consultation with other national stakeholders, national governments will also prepare national road maps. It is expected that NSCs will in addition take stock of progress at national level;
- c) **IUCEA** will coordinate, facilitate, and oversee implementation and offer capacity building support to Governments and HEIs. Collect and aggregate reports from NSCs, and compile and present regional reports to stakeholders at an annual event; and
- d) **Higher Education Institutions** shall principally be responsible for the implementation of higher education reforms with oversight from Councils and Commissions for Higher Education.

At its 35th Meeting sitting on 4th July 2022, the IUCEA Executive Committee while considering the Framework for Operationalisation of Common Higher Education Area directed IUCEA Secretariat to:

1. share the road map, reports and other important documents regarding the operationalisation of the common higher education area with all members of the CHEA to assist in cross reference and follow up in the respective Partner States;
2. use all the three (3) official languages of EAC (Kiswahili, French and English) while disseminating the developed Qualifications Register to East Africans to facilitate mobility of students; and
3. approved the Framework for Operationalization of Common Higher Education Area.

The Council took note of the progress so far undertaken by IUCEA in the implementation of the Summit directive to make East Africa a Common Higher Education Area.

8.9.2 PROGRESS REPORT ON IMPLEMENTATION OF EAC REGIONAL PROGRAMME ACCREDITATION FRAMEWORK

IUCEA developed a comprehensive document on Standards, Processes & Procedures for EAC Regional Programme Accreditation. The document provided for the standards and guidelines for each aspect of a quality programme but had not provided for the measurable indicators and norms expected from them. For standards and guidelines to be effectively used and to ensure objectivity in the assessment of programmes, IUCEA found it imperative to develop norms or capacity indicators as a tool or yardstick of assessment and the developed norms for regional accreditation would help support the accreditation process, ensure competitive quality standards, and contribute towards improving the quality of higher education in the EAC region.

The development process of the norms is consultative, and views are received from different stakeholders. It is against this background that IUCEA organized a meeting of experts to develop acceptable norms for EAC Programme Accreditation from 30th – 31st May 2022, in Kigali, Rwanda. The experts were drawn from the Commissions and Councils, Universities and Ministries of Education of Partner States.

At its 35th Meeting sitting on 4th July 2022, the IUCEA Executive Committee while considering the progress report on implementation of EAC Regional Programme Accreditation Framework:

1. Directed IUCEA Secretariat to ensure that the norms for EAC Regional Programme Accreditation consider virtual and blended learning and to spearhead the drive for enabling institutions of higher learning to be connected to the fibre optic backbone in their respective Partner States;
2. Urged Partner States where possible to give preferential rates for online education and where possible consider zero-rating for internet provision/charges for education institutions to promote digital learning;
3. Directed IUCEA Secretariat to work closely with relevant departments in Partner States to provide infrastructure and ensure connectivity of higher education institutions to national optical fibre connectivity or backbone to facilitate digital learning; and
4. Directed the IUCEA Secretariat to speed-up the process of implementation of the programme accreditation framework.

The Council took note of the progress so far undertaken by IUCEA in the implementation of EAC Regional Programme Accreditation Framework.

8.9.3 PROGRESS REPORT ON THE SCHOLASRHIP PROGRAMMES

a) Progress Report on IUCEA- Kyungdong Scholarship Programme

On 17th September 2018, IUCEA and Kyungdong University (South Korea) entered a five-year Memorandum of Understanding involving cooperation in areas which include scholarship opportunity for undergraduate students from the EAC Partner States. The

scholarship programme falls in disciplines of Smart Computing, Hotel Management and Business Administration.

Under the MoU, 5 students are selected from each Partner State totalling to 30 students annually. Due to some operational challenges arising out of the implementation of the MoU, IUCEA was unable to make a call for the 2021 academic year. However, in February 2022, IUCEA and Kyungdong were able to execute an addendum to the MoU that paved way for the 3rd cohort call. The call for the 3rd cohort was made and published on 1st March 2022 and the deadline was 15th April 2022. In total, 344 applications were received and only 97 were shortlisted as reflected in the **Table 30** below:

	Course applied	Bachelor's degree in Smart Computing		Business Administration		Hotel Management		Total
		F	M	F	M	F	M	
COUNTRY	BURUNDI	2	4	5	3	2	0	16
	KENYA	0	1	2	1	2	0	6
	RWANDA	4	12	3	4	1	1	25
	SOUTH SUDAN	4	14	1	7	3	1	30
	TANZANIA	2	5	2	3	0	1	13
	UGANDA	0	1	5	1	0	0	7
	TOTAL	12	37	18	19	8	3	97

After the selection, only 27 students were selected for cohort 3. The table below statistically shows the number and distribution per country of students for cohort 3.

Table 31:

Country	2021-2022
Burundi	6
Kenya	4
Rwanda	4
South Sudan	4
Tanzania	5
Uganda	4
Total	27

In January 2023, IUCEA delegates travelled to South Korea on a mission to dialogue and amend specific aspects of the MoU more importantly to cater for a new Partner State the Democratic Republic of Congo into the arrangement. In principle, the President of Kyungdong University accepted the increment of annual admission from 30 to 35 to cater for the Democratic Republic of Congo and further allowed extension of the MoU for further five years.

The Council took note of the progress made in the implementation of the IUCEA-Kyungdong Scholarship Programme.

b) Progress Report on KfW- EAC Scholarship Programme (Leadership to foster Regional Integration)

The East African Community Scholarship Programme was established in 2018 as an initiative of the East African Community (EAC) and the Federal Republic of Germany to promote EAC Regional Integration agenda.

The Council was informed that:-

- a) The German Federal Ministry for Economic Cooperation and Development (BMZ) committed EUR 5 million for over a six-year period to fund the 1st phase of the Scholarship Programme;
- b) The grant covers full scholarships to academically excellent master's students from the EAC Partner States to become highly skilled 'change agents' as qualified professionals with a strong understanding of regional challenges, approaches, and expertise in their subject fields;
- c) The students are required to enroll into universities of their choice outside their home country but within the region to help promote student mobility and integration;
- d) In a bid to promote the participation of female students, at least 30% of the scholarships had been reserved to females;
- e) The Programme has so far awarded three (3) cohorts of 180 Master's degree students in the priority areas of Mathematics, Engineering, Informatics, Science, Technology and Business Science, that is thirty (30) each from Burundi, Kenya, Rwanda, South Sudan, Uganda and United Republic of Tanzania. Forty (40) of them have already completed their studies; and
- f) A total of 54 student attended the workshop. A total of 117 students of both cohort 1 and 2 have been taken through induction on regional integration and local integration within the host community. The induction workshops were held in Entebbe, Uganda in February 2020 and Dar-Es-Salaam, United Republic of Tanzania in April 2022.

The Council took note of the progress made in the implementation of KfW- EAC Scholarship Programme.

c) Progress Report on CENIT @ EA Scholarship Programme

The EAC and the German Federal Ministry for Economic Cooperation and Development (BMZ) agreed to establish a Regional Centre of Excellence (CENIT@EA) in the field of Information and Communication Technology (ICT) in one of the EAC Partner States. The implementation set-up involves GIZ as a lead implementing agency, IUCEA as the implementing and coordinating partner on the EAC side, while the German Academic Exchange Services (DAAD) is supporting the implementation of the academic strand of the project on the funder's side.

For the period 2019/2020 to 2022/2023 CENIT@EA a total of 112 Scholarships had been awarded and additional 16 student enrolled as private students throughout the four (4) cohorts to undertake a Master's programme in Embedded and Mobile Systems (EMoS) with focus on Mobile Computing, Embedded Systems, Project Management, Entrepreneurship, Information Systems and Soft Skills.

The 4th Cohort covering the period January 2022 to December 2023 which is also the last cohort for dSkills@EA supporting the Center, awarded 24 scholarships with 4 from each of the Partner States.

The Council took note of the progress made in the implementation of CENIT @ EA Scholarship Programme.

d) Progress Report on establishment of an EAC Students' Scholarship Mobility Scheme (EAC-SMS)

Realising the low level of IUCEA led students' mobility within the EAC Partner States especially scholarships for undergraduate studies and low scholarship slots for postgraduate programmes in the EAC Partner States for Masters and PhDs, the 10th IUCEA Annual Meeting held in June 2019 in Kigali, Rwanda, encouraged IUCEA member universities to provide at least 1 slot for students from EAC Partner States other than their own. Under such the scheme, the students would be supported by the host university through a waiver of tuition while IUCEA and the guardians take charge of the other requirements.

In pursuit of an EAC-SMS establishment, IUCEA organised a three-day workshop at the University of Nairobi from 7th to 9th March 2022. The meeting was called to bring together partners and stakeholders in the Higher Education sector focusing on the scholarship programmes. The meeting was attended by representatives of Vice Chancellors of IUCEA member universities, heads of Higher Education Loans/financing organizations, the Executive Director of the East African Business Council and the EAC Secretariat Principal Education Officer.

At the meeting, key roles and responsibilities were apportioned to stakeholders as follows:

Role of IUCEA

- a) Coordinate the scheme at regional level;
- b) Mobilize Universities and other stakeholders to participate in the EAC-SMS;
- c) Mobilize funds from EAC Partner States, foreign governments, development partners, business community and other partners to support students;
- d) Determine skills gap in the region and advice the Scholarship Committee on the areas of focus for scholarships;
- e) Announce the availability of the scholarships regionally in different communication channels;
- f) Provide medical insurance coverage;
- g) Provide transport facilitation by road whenever applicable at the beginning and at the end of the academic programme;
- h) Provide Masters and PhD students with a lump sum for research; and
- i) Provide administrative and management support.

Role of the Universities

- a) Determine their respective study programmes for the EAC-SMS;
- b) Select at least 1 student per year from each EAC Partner State other than their own in the programmes determined in a) above;
- c) Offer scholarships through tuition and examination fees waiver for the selected students from each EAC Partner States other than their own; and
- d) Provide regular progress reports on the performance of the scholarship programme.

Role of Parents / Guardians / Sponsors

- a) Provide living allowance to cover accommodation and living expenses;
- b) Provide for university costs other than tuition and examination fees; and
- c) Provide scholastic materials.

Role of the Students

- a) Apply to the universities of their choice in the region whose programmes have been selected for the scholarship scheme; and
- b) Mobilise any additional resources to support their studies.

At the end of the Nairobi workshop, all the 11 Vice Chancellors of Universities in attendance signed a Declaration of Commitment to Establish an East African Community Students Mobility Scholarship Scheme (EAC-SMS). IUCEA Secretariat intends to submit the progress report at its upcoming 14th Annual meeting for further consideration and ownership.

The Council took note of the progress made in the establishment of an East African Community Students Mobility Scholarship Scheme (EAC-SMS).

5. Progress Report on the Collaboration between IUCEA and Galilee International Management Institute (Israel)

IUCEA and Galilee International Management Institute on 1st May 2022 signed a five-year Memorandum of Understanding to promote collaboration in advancement of capacity building programmes tailored to the needs of IUCEA member universities, East African Community Organs and Institutions and Partner States. Galilee International Management Institute is an international organisation registered in Israel as a Not-for-Profit organization, part of the Euro- Mediterranean University (EMUNI) accredited by the European Union and the Government of Slovenia.

Established in 1987, Galilee International Management Institute is a hub for capacity building, sharing Israel's renowned technical knowhow and expertise with the developing world in a wide range of fields. The Institute offers training programmes in Agriculture, Water Management, Health, Crisis and Security Management, Economic Development, Transport, Higher Education, and Public Sector Management. The Institute offers a variety of learning platforms including LIVE online sessions, programmes held on-site in Israel and in-country programmes. With a faculty of over

600 experts, training programmes are offered in English, French, Spanish, Portuguese, Russian and Arabic.

Under the MoU:-

- a) Galilee International Management Institute shall upon specifically agreed terms and conditions, offer tuition-waved admission of 1000 East African students to study a two-year programme in Digital Agriculture. Galilee International Management Institute commits to source and facilitate employment in Israel high-tech firms to the best 10% performing students of each cohort;
- b) Galilee International Management Institute shall grant 100 scholarships per year for the next 5 years for a 2-week intensive programme on management of higher education institutes. Participants in the programme shall be drawn from IUCEA member universities targeting senior officials of universities, such as Vice Chancellors, Deputy Vice Chancellors, and Registrars. Participants shall cover their travel, local living expenses as well as medical insurance cover;
- c) Galilee International Management Institute shall grant additional 100 scholarships per year for the next 5 years for various programmes in agriculture, water management, public administration etc. Participants shall cover their travel, local living expenses as well as medical insurance cover; and
- d) Parties shall during the duration of this MoU agree on various capacity building programmes tailored to the needs of IUCEA Secretariat, member universities, and EAC organs and institutions.

IUCEA and Galilee International Management Institute are yet to discuss implementation modalities.

The Council took note of the signing of a Memorandum of Understanding between IUCEA and Galilee International Management Institute.

6. Progress Report on Staff and Student Mobility Programme

Under the Staff and Student Mobility Programme, IUCEA supported 35 academic staff to participate in the IUCEA Staff Mobility Programme for the financial year 2021/2022, which was held in a hybrid mode, (physical and virtual) to comply with Covid regulations in most Partner States. The Academic Staff and institutions that participated and benefited in the program were strictly from member universities as indicated below:

b. Institutions that hosted academic staff under the IUCEA Staff Mobility

- 1) The East African University, Kenya
- 2) Kabale University, Uganda

- 3) Mbarara University of Science and Technology, Uganda
- 4) University of Technology and Arts of Rwanda
- 5) Dedan Kimathi University, Kenya
- 6) Moi University, Kenya
- 7) Ecole Normale Supérieure, Bujumbura, Burundi
- 8) Université Lumière de Bujumbura, Burundi
- 9) Ines Ruhengeri Institute of Allied Sciences, Rwanda
- 10) Kigali Independent University, Rwanda
- 11) Gulu University, Uganda
- 12) Moshi Co-operative University, Tanzania
- 13) University of Nairobi, Kenya
- 14) Kibabii University, Kenya

c. Institutions that sent academic staff under the IUCEA Staff Mobility:

- 1) International Leadership University, Burundi
- 2) Université du Burundi
- 3) Daystar University, Kenya
- 4) Jaramogi Oginga Odinga University of Science and Technology, Kenya
- 5) Jomo Kenyatta University of Agriculture and Technology, Kenya
- 6) Masinde Muliro University of Science and Technology, Kenya
- 7) Moi University, Kenya
- 8) United States International University, Kenya
- 9) South Eastern Kenya University (SEKU)
- 10) Mbarara University of Science and Technology, Uganda
- 11) INES -Musanze, Rwanda
- 12) University of Technology and Arts of Byumba, Rwanda
- 13) Kabale University, Uganda
- 14) University of Dar es Salaam, Tanzania
- 15) Moshi Co-operative University, Tanzania
- 16) St Augustine University of Tanzania-
- 17) Uganda Christian University, Uganda
- 18) Cavendish University, Uganda

Under the Programme, the Republic of Uganda and the Republic of Kenya registered the highest number of applicants while the Republic of Burundi, the Republic of Rwanda and the United Republic of Tanzania had the lowest number of participants. The Republic of South Sudan did not have any applicant to participate or host under the IUCEA Staff Mobility Program.

The Council took note of the status of participation in the IUCEA Staff Mobility Programme during the Financial Year 2021/2022.

7. Report on the Establishment of EAC Academic and Research Network for Regional integration (EACANRI)

IUCEA embarked on a process of facilitating the establishment of an EAC Academic Network for Regional Integration (EACANRI) to provide a forum for academics and researchers to dialogue and play their rightful role in shaping the

EAC regional integration agenda. The EACANRI will provide an opportunity to mobilise resources and harness expertise in diverse areas of regional integration studies and research in the EAC and to contribute to the regional integration agenda.

In a meeting organised on the 9th -11th of May 2022 in Bujumbura, Burundi, experts on regional integration studies and research discussed, developed, and considered key Network documents including the following:

- A draft roadmap and work plan for the Network Activities;
- Terms of Reference for a Steering Committee which was put in place in the same meeting; and
- A Draft Constitution of the East African Community Academic and Research Network for Regional Integration (EACANRI) was adopted.

An Interim Steering Committee of 9 members representing all the EAC Partner States and IUCEA Secretariate was put in place. The regional integration experts' meeting also agreed to have the proposed Network's constitution registered under the Uganda Registration Services Bureau.

The Council took note of progress made by IUCEA in the establishment of an EAC Academic and Research Network for Regional integration (EACANRI)

8. Progress on the development of the Benchmarks for Food safety

Development of the benchmarks for food safety programme was part of IUCEA's continued efforts to enhance the quality of academic programmes and provide a framework for harmonisation of higher education. The development of the benchmarks for the Bachelor of Science in Food safety had gone through several discussions starting initially from two separate projects, one by ILRI on safe food fair food of informal markets and the other by FAO on continuing professional development (CPD) in Veterinary Public Health from 2009 and 2012 respectively. Both projects showed that there was a gap in the knowledge about food safety in formal and informal markets. Discussions on how to close this gap led to the thinking of transforming the developed CPD modules to either post graduate Diploma courses or develop a new curriculum to train cadres of new professionals in food safety. With the guidance from IUCEA, the experts in food safety finally agreed to develop programme benchmarks in food safety to guide universities in developing and or reviewing their specific curriculum.

At the 35th Executive Committee meeting, members raised the issue of growing numbers of unemployed graduates in the region, inquiring if it was caused by graduates' competency gaps, curriculum, or a mismatch between training and available jobs.

Following the discussion, members of the Committee:

- i. Observed that the programme benchmarks for Bachelor of document was well developed and contained key aspects of IUCEA Benchmark documents.

- ii. Appreciated the support from the partners ILRI and FAO;
- iii. Approved the benchmarks for food safety for utilisation by universities.

The Council took note of the development of benchmarks for Food Safety.

9. Progress report on the Eastern and Southern Africa Higher Education Centres of Excellence Project (ACE II)

The ACE II Project was established in 8 countries (Ethiopia, Kenya, Malawi, Mozambique, Rwanda, Tanzania, Uganda, and Zambia) to strengthen selected higher education institutions to deliver quality postgraduate training and build collaborative research capacity in key priority Areas. The project is funded by the World Bank.

Since its establishment, the Project has supported more than 8,000 students enrolled in Masters, PhD, or short-term programs at the ACEs, with one-third being female. This share of female students has increased from 31 percent in 2016 to 38 percent in March 2022.

The Committee was informed that the ACE II project will end in December 2023, but the World Bank had provided additional funding which would focus only on Agriculture thereby extending the lifetime of the project. So far only two countries i.e., Mozambique and Malawi had expressed interest to participate in the project.

The ACE II additional funding project will implement the following components: -

- (i) strengthening the capacity of selected higher education institutions to deliver quality postgraduate education in agriculture in the Republics of Malawi and Mozambique (US\$ 60 million);
- (ii) providing capacity building support to ACEs through regional activities as well as supporting coordination and management (US\$10 million).

The above components of the ACE II additional funding will be implemented by Inter-University Council for East Africa for a period of 3.5 years starting with the 2022/2023 financial year.

The Council took note of the additional financing of USD 10 Million and further extension of the ACE II Project for three years and half from December 2023.

10. Progress Report on the East Africa Skills for Transformation and Regional Integration Project (EASTRIP)

The East Africa Skills for Transformation and Regional Integration Project (EASTRIP) is a five-year project funded by the World Bank and the Governments of Ethiopia, Kenya, and Tanzania to increase access and improve the quality of TVET programmes that were offered by the selected Regional Flagship TVET Institutes (RFTIs). The project had been designed to address skills shortage and mismatch, by providing technical, financial and industry partnership to improve the relevance and quality of training programmes in the 16 selected RFTIs.

IUCEA reports that:

- i. EASTRIP's target of student enrolment had been achieved with 101%;
- ii. The regional student enrolment was observed to be very low with 31% in short term and 0% in long term programs;
- iii. Regarding the PDOIs on quality and relevance, the progress of RFTIs indicated that 69% of graduates were employed as at May 2022 with a 60% female employment rate; and
- iv. In the EASTRIP-China TVET scholarship program, 35 teachers from RFTIs were facilitated in two cohorts and admitted into various universities in China against the target of 40. However, only 32 are currently active and the 3 teachers have dropped due to different challenges that they were facing such as limited access to internet

The Council took note of the progress made in the implementation of the EASTRIP Project.

11. End of Contract for Prof. Mike Kuria - Deputy Executive Secretary IUCEA

The IUCEA Act, 2009 provides that a Deputy Executive Secretary position shall be occupied on rotational basis among the EAC Partner States on a three-year contract renewable once upon satisfactory performance. Prof. Mike Kuria from the Republic of Kenya had served a six-year term and the same ended on 31st October 2022.

IUCEA embarked on the recruitment process early last year and the call for applications was only reserved for nationals from the United Republic of Tanzania. Out of three shortlisted candidates, Prof. Idris Ahmada Rai, Vice Chancellor, State University of Zanzibar, emerged the best candidate. An offer was subsequently accepted and Prof. Idris Ahmada Rai reported for duty in January 2023.

The Council:

- (a) **commended Prof. Mike Kuria for his exceptional services to the Community and wish him success in his future endeavors; and**
- (b) **Took note of the appointment of Prof Idris Ahmada Rai as the Deputy Executive Secretary of the Inter University Council for East Africa.**

PART IX: CONSIDERATION OF THE DRAFT EAC CALENDAR OF ACTIVITIES FOR THE PERIOD JANUARY - JUNE, 2023

The Council at its 25th Meeting, among others, "directed that save for self-accounting EAC Institutions, EALA, and EACJ, statutory/policy and technical meetings for Organs and Institutions of the EAC should rotate and be shared between Headquarters and Partner States on a ratio of 50/50 basis."

Accordingly, the EAC Secretariat prepared the Draft EAC Calendar of Activities for the period January- June, 2023 based on the above Council decision. The sub-committee

reviewed the draft EAC Calendar of Activities for the period January – June, 2022 and noted that:

The Calendar conforms to the 50/50 Rule and there is fair distribution of Meetings within the Partner States.

Table 32: Summary of Allocation of Meetings

Rotational Meeting Summary		
Summary	No of activities	Percentages (%)
Uganda	25	16.3
South Sudan	25	16.3
Kenya	25	16.3
Burundi	25	16.3
Democratic Republic of Congo	3	2
Tanzania	25	16.3
Rwanda	25	16.3
Total Partner States	153	50.8
EAC Headquarters	148	49.2
Total Partner State & EAC HQ	301	100
Video Conference	4	
National (Country Specific)	330	
International	17	
EAC Institutions Activities	93	

The reviewed /Draft EAC Calendar of Activities for the period January – June, 2023 is hereto attached as **Annex XXXVII**.

The Council:

- (c) considered and adopted the draft EAC Calendar of Activities for the period January- June, 2023 (EAC/CM 43/ Decision 99); and
- (d) directed the EAC Secretariat and Institutions to adhere to the Calendar of Activities as approved by the Council and in case of unavoidable circumstances, the approved host Partner State to issue a no objection to the change of venue (EAC/CM 43/ Directive 59).

PART X: APPLICATION BY FEDERAL REPUBLIC OF SOMALIA TO JOIN THE COMMUNITY

The Secretary General informed the Council on the Progress made in implementing the directives of the Summit on admission of the Federal Republic of Somalia into the Community.

The Council :

- a) took note that the verification Mission to the Federal Republic of Somalia had been concluded and the report was being prepared; and

- b) directed the Secretariat to submit the Report of the Verification Mission to the Federal Republic of Somalia to Partner States for consultations (EAC/CM 43/ Directive 60).

PART XI: ANY OTHER BUSINESS

11.1 ENHANCING COORDINATION OF THE MEETINGS FOR THE EAC SUMMIT OF HEADS OF STATE OR GOVERNMENT

Rule 4 of the EAC Rules of Procedure for the Summit of the Heads of State or Government clearly states that the Summit shall meet at least once every year. Moreover, the Summit may hold ordinary or extraordinary meetings. The extraordinary meetings are held at the request of a Partner State or the Chairperson of the Summit.

In exercise of the powers conferred upon the Secretary General by Article 67 (3) (c) the Treaty for the Establishment of the East African Community, the Secretary General shall be the Secretary of the Summit. Additionally, Rule 7 of the EAC Rules of Procedure for the Summit of the Heads of State or Government obliges the Secretary General to draw up a provisional agenda for the Summit. Arising from above obligations, the Secretary General is duty bound for preparations, record and custody of documents for the Summit Meetings. In brief, the Secretary General has a responsibility of communicating with the office of the Chairperson of Summit of the Heads of State for the preparation of the provisional agenda, background paper and subsequently the report of Meeting which will be availed to Partner States.

However, from the last three Extra-Ordinary Sessions of Summit held in Sharm-El-Sheikh, Egypt; Washington, USA and Bujumbura, Burundi it has been observed that while Partner States were served with the invitations/notification notes of convening Meetings of Summit; the same were not accompanied by necessary supporting background papers. This has caused a lot of inconveniences in facilitating participation of the Members of the Summit the Heads of State or Government to these Meetings.

From the foregoing events, it will be prudent in future for the Secretary General to always liaise with Office of the Chairperson of Summit of Heads of State or Government whenever such meetings are convened and prepare background papers accordingly.